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ABSTRACT

The Vocational Education Act of 1963 was an apparent outgrowth of economic conditions and societal needs which existed in the United States in the late 1950's and early 1960's. The nation's most urgent domestic problem was unemployment while paradoxically millions of jobs which required skilled workers continued unfilled. This study was concerned with the historical development of issues and activities which led to the enactment of this important legislation. Based on an examination of written source documents, such as the Administration's education messages to the Congress, the overall purpose of this research was to bring together in one document those positions and proceedings associated with the design and adoption of this law. This report was also submitted as Ed.D. dissertation to Oklahoma State University. (Author/JS)

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A SYNTHESIS OF ACTIVITIES LEADING TO THE ENACTMENT OF THE VOCATIONAL EDUCATION ACT OF 1963

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August, 1969

U. S. DEPARTMENT OF
HEALTH, EDUCATION, AND WELFARE

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by

Mary Louise Ellis

U.S. DEPARTMENT OF HEALTH, EDUCATION
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Abstract

A SYNTHESIS OF ACTIVITIES LEADING TO THE ENACTMENT OF THE VOCATIONAL EDUCATION ACT OF 1963

This study was concerned with the historical development of issues and activities which led the 88th Congress, 1st Session, to enact the Vocational Education Act of 1963, Public Law 88-210. The overall purpose of this research was to bring together in one document those positions and proceedings associated with the design and adoption of Public Law 88-210. Additional purposes of this study were: To develop a brief chronology of Federal Vocational Education Acts preceding the enactment of the Vocational Education Act of 1963; to analyze education and training legislation proposed and enacted by the 87th Congress in 1961-1962; to identify and to document issues relative to education legislation proposed by the Administration and considered by the 88th Congress, 1st Session; to set forth arguments which were advanced by proponents and opponents of the vocational education measure considered and acted on in 1963; and to develop a synthesis of activities concerning discussions, debates, and decisions related to the formulation and enactment of the Vocational Education Act of 1963.

To identify issues associated with the consideration of the proposed vocational education measure of 1963, an examination was made of written source documents, such as the Administration's education messages to the Congress; hearings before the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives; and hearings before the Subcommittee on Education of the Committee on Labor and Public Welfare, United State Senate; and Committee Reports of the House and Senate. The *Congressional Record* was also examined for issues and positions developed during the House and Senate debates. The *Congressional Quarterly*, *Congressional Almanac*, and *Public Papers of the Presidents* were also examined. Research techniques utilized by historians were employed throughout the study.

The Vocational Education Act of 1963 was an apparent outgrowth of economic conditions and societal needs which existed in the United States in the late 1950's and early 1960's. The nation's most urgent domestic problem was unemployment while paradoxically millions of jobs which required skilled workers continued unfilled. Concomitantly, the country was undergoing a technological revolution unparalleled in history. The Vocational Education Act of 1963 was an apparent reaffirmation by the United States Congress of its long-term interest and suppport to provide vocational education opportunities for the nation's citizens.

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CHAPTER I

INTRODUCTION

Federal legislation for vocational education has provided direction for national growth and development of vocational education programs for over a half-century. While several schools of thought exist concerning the impact of federal aid upon vocational education, there is general agreement that federal funds have provided the necessary stimulus for change and direction of vocational education programs.[1] There appears to be little doubt that federal legislation will continue to play an important role in the future development of vocational education programs nationally.

Beginning with the enactment of the Smith-Hughes Act of 1917, the Congress provided the first federal aid for vocational education. The Smith-Hughes Act was a legislative victory for vocational education. Significantly, an intensive study was made to determine the needs of society prior to the enactment of the Smith Hughes Act. The second national study to determine the educational and training needs of society was made nearly five decades later. It was the 1963 report of the Panel of Consultants on Vocational Education which the Congress used as a framework to draft the Vocational Education Act of 1963.[2] Interestingly enough, each of these pieces of legislation held as its central purpose the development of a program to provide an educated labor force. These two Acts were unique in the field of vocational education in that, prior to enactment of each, an intensive study was made to determine education and training needs of the nation.[3]

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[1] U.S. Department of Health, Education, and Welfare. Education for a Changing World of Work: Report of the Panel of Consultants on Vocational Education. Washington, D. C.: Government Printing Office, 1963.

The high level of unemployment and dragging economy of the early 1960's caused many people to look to vocational education for partial solutions to these problems.[4] Unemployment and economic development became topics for intense discussions and debates. Those who lacked education and training could not find jobs in a highly sophisticated world of technology.[5] Persistent unemployment and a stagnant economy prompted John F. Kennedy to speak repeatedly of the nation's social and economic plight during his campaign for the Presidency of the United States in 1960. He contended that the nation's most valuable resource was its manpower and that underemployment and unemployment were costing the country billions of dollars and untold human misery. To overcome these social and economic problems, Senator Kennedy advocated increased federal aid to schools and colleges.[6] It was no surprise that upon being elected President, John F. Kennedy almost immediately directed the Secretary of the Department of Health, Education, and Welfare to appoint a Panel of Consultants on Vocational Education. In his message to the Congress on February 20, 1961, the President said:

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[2] See Appendix A for Names of Panel of Consultants on Vocational Education.

[3] Mayor D. Mobley and Melvin L. Barlow. "Impact of Federal Legislation and Policies on Vocational Education." _The Sixty-Fourth Yearbook, Part I, The National Society for the Study of Education_. Chicago, 1965, pp. 198-199.

[4] U. S. Congress. Joint Economic Committee. _1963 Joint Economic Report_. Senate Report No. 78, 88th Congress, 1st Session, May, 1963, p. 90.

[5] Ibid., p. 66.

> The National Vocational Education Acts, first enacted by the Congress in 1917 and subsequently amended, have provided a program of training for industry, agriculture, and other occupational areas. The basic purpose of our vocational education effort is sound and sufficiently broad to provide a basis for meeting future needs. However, the technological changes which have occurred in all occupations call for a review and re-evaluation of these acts, with a view toward their modernization.
>
> To that end, I am requesting the Secretary of Health, Education, and Welfare to convene an advisory body drawn from the educational profession, labor, industry, and agriculture, as well as the lay public, together with representation from the Departments of Agriculture, and Labor, to be charged with the responsibility of reviewing and evaluating the current National Vocational Education Acts, and making recommendations for improving and redirecting the program.[7]

Thus, wheels were set in motion for the first national review, analysis, and evaluation of the vocational education program since the historic Commission on National Aid to Vocational Education was created in 1914.[8] It was the report of the Commission on National Aid to Vocational Education in 1914 which the Congress used as a framework to draft the first act for federal aid for vocational education.[9] This historic act, commonly known as the Smith-Hughes Act of 1917, was signed into law by President Woodrow Wilson. It was 44 years later that the Secretary of the Department of Health, Education, and Welfare, responding to President Kennedy's request, announced the appointment of a blue ribbon Panel of Consultants on Vocational Education.[10]

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[6] Tom Wicker. JFK and LBJ: The Influence of Personality Upon Politics. New York, 1968, pp. 25-61.

[7] U. S. President. Message from the President of the United States Relative to American Education. 87th Congress, 1st Session, February 20, 1961.

[8] L. S. Hawkins, C. A. Prosser, and J. C. Wright. Development of Vocational Education. American Technical Society, Chicago, 1951, pp. 80-112.

[9] Ibid., p. 121.

For vocational education, the Panel report, Education for a Changing World of Work, proved to be the most significant national study since the 1914 Commission on National Aid to Vocational Education submitted its report to the Congress.

Just as the report of the Commission on National Aid to Vocational Education was used to draft the first federal aid for vocational education, the 1963 report of the Panel of Consultants on Vocational Education was used by Congressional architects as the framework to design the Vocational Education Act of 1963, Public Law 88-210.

Statement of the Problem

Federal education legislation has far-reaching implications for educators at all levels--local, state, and federal. The problem with which this study was concerned was the identification and documentation and enactment of the Vocational Education Act of 1963. The lack of summary data on which vocational education legislation was adopted by the 88th Congress, 1st Session, makes it necessary for scholars to search through a myraid of documents for information regarding the proposed legislative measure. This study was an attempt to identify and abstract major activities, events, issues, positions, and decisions which led to the enactment of the Vocational Education Act of 1963. Further, an attempt was made to answer the following questions:

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[10] U. S. Department of Health, Education, and Welfare. Education for a Changing World of Work: Report of the Panel of Consultants on Vocational Education. Washington, D. C.: Government Printing Office, 1963, p. v.

1. What were the major domestic issues confronting the Congress in its deliberations and development of the proposed vocational education legislation?
2. Was sufficient supporting rationale and documented evidence presented to the Congress to justify expanded and improved vocational education legislation?
3. What were the major positions assumed by selected national organizations during the development of the proposed vocational education legislation?

Purpose of the Study

While several volumes of hearings exist concerning testimony on behalf of the vocational education measure of 1963, there is no single source to which scholars may look for an examination and treatment of activities, events, issues, and positions associated with the development of the proposed vocational education legislation.

The overall purpose of this study was to bring together in one document those issues, factors, and activities associated with the formulation and adoption of the Vocational Education Act of 1963.

Additional purposes of this study were:

1. To develop a brief chronology of Federal Vocational Education Legislation preceding the enactment of the Vocational Education Act of 1963
2. To briefly summarize the education and training provisions enacted by the 87th Congress in 1961 and 1962
3. To identify the major issues concerning education and training legislation before the 88th Congress at the beginning of its 1st Session, 1963
4. To set forth arguments which were advanced by proponents and opponents of the proposed vocational education legislation

5. To develop a synthesis of activities associated with the development and enactment of the Vocational Education Act of 1963 in the 88th Congress, 1st Session

It is hoped that this study will provide vocational educators with an insight and background concerning selected issues and factors associated with the formulation and adoption of the Vocational Education Act of 1963.

Need for the Study

The federal government's active role in shaping educational legislation has tremendous effect on the educational community. Moreover, federal aid for education is likely to continue to expand in keeping with the nation's social and economic needs. The importance of gaining an understanding of the legislative process and factors associated with the Congress enacting a major piece of legislation such as the Vocational Education Act of 1963 appear to be self evident. To the extent that vocational educators are politically alert, they may provide members of Congress with information required to make sound legislative decisions for the improvement and redirection of the vocational education program in the future.

Scope of the Study

This study was an attempt to identify and document activities, issues, positions, and actions associated with the formulation of the Vocational Education Act of 1963. A brief historical treatment of vocational education legislation preceding the enactment of the Vocational Education Act of 1963 was included to develop a historical perspective of federal aid for vocational education. Selected domestic issues confronting the Administration and the Congress beginning with the 1960's have also been identified.

Selected activities and positions associated with proposed education legislation by the Administration and the Congress during the 87th Congress were also documented briefly. The major emphasis of this study was the identification and abstraction of selected activities, events, issues, and positions confronting the 88th Congress, 1st Session, which resulted in the proposed vocational education measure becoming public law on December 18, 1963.

Since this study was essentially historical in nature, standard research and reporting techniques of that field were utilized. It is hoped that a documentation and analysis of selected issues and factors associated with the enactment of the Vocational Education Act of 1963 will be helpful to students and practitioners in the field of vocational education.

Methodology and Limitations of the Study

An overview of Federal Vocational Education Legislation in the United States has been included in this study. This was necessary to develop a historical perspective of federal aid for vocational education. Moreover, the study identifies and examines issues and forces confronting the Administration in the early 1960's as well as the Administration's role in advocating expanded and improved vocational education legislation. In addition, a brief treatment was made of selected issues associated with education and training legislation which was considered and enacted by the 87th Congress.

An examination was made of written source documents, such as the

Administration's education message to the Congress; hearing before the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives; and hearings before the Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate; and Committee Reports of the House and Senate. *The Congressional Record* was also examined for positions and issues developed during the House and Senate debates. *The Congressional Quarterly*, *The Congressional Almanac*, and the *Public Papers of the Presidents* were also examined.

No attempt has been made to give a full presentation of the arguments that were expressed for and/or against the proposed vocational education legislation. The pro and con material has been drawn mainly from hearings, committee reports, and debates in the House and Senate. Quoted passages have generally been excerpted from complete statements. Particular care has been taken to cite primary sources of evidence presented for and/or against the proposed vocational education measure.

Certain other selected documents which included information related to development and enactment of the Vocational Education Act of 1963 were also examined. The author is aware that certain positions assumed by selected national organizations during the formulation of the legislation were not, and have never been, documented. It is hoped however, that documents which were available and related to the legislation will reveal significant positions of selected national organizations which prevailed during the design and development of the legislation.

Definition of Terms

Legislative Terms[11]

Act---------------a measure which has become law after being passed by both houses of Congress and approved by the President, or passed by two-thirds vote over his veto.

Adjourn-----------to end a meeting, usually for a stated time only. Adjourn sine die--to stop a meeting without setting a date for reconvening.

Amendment---------a change in any bill or document by adding, substituting, or omitting a certain part before its final passage; or an addition to the United States Constitution or a state constitution.

Appropriation-----money set aside by a legislative body for some government expenditure.

Authorization-----authorizes a program, specifies its general aim, usually puts a ceiling on monies to finance a program.

Bill--------------a measure introduced in either house of Congress. Public bill--a bill of broad general application. Private bill--a bill for the benefit of one or a few individuals.

Bipartisan--------approved by two political parties, or including representatives of two political parties--for example, the U. S. bipartisan foreign policy, supported by most Democrats and Republicans.

Committee---------a group of members of a legislative body to which is assigned a special task. Standing committee--a permanent committee set up to handle legislation in a certain field. Special (or select) committee--a temporary committee set up to handle a specific problem. Joint committee--a committee representing both houses of Congress. Conference committee--joint committee of both houses of Congress whose function is to arrive at a single version of a bill that has passed the two houses in somewhat different form. Committee of the whole--a whole legislative body turned into a committee for the purpose of suspending formal procedure and speeding its work.

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[11] Unless otherwise noted, definitions are from the following source: Know Your Congress. Capital Publishers, Inc., Washington, D. C., 1967, pp. 123-124.

Enact	to pass a law
Fiscal year	a 12-month period at the end of which accounts are reckoned. Congress appropriates funds on the basis of our Government's fiscal year, which begins on July 1 and ends on June 30. (Fiscal year 1960, for example, began July 1, 1959.)
Floor	a term referring to the full Senate or the full House. For example, "the bill is on the floor of the House" means that the bill is up for consideration by the House.
H.R.	used before a bill number, indicates that the bill originated in the House of Representatives.
Hearing	a session of a Congressional committee at which supporters and opponents of a proposed measure are given an opportunity to express their views. Closed hearing--a hearing barred to the public and the press.
Hopper	a box on the desk of the Clerk of the House where Representatives deposit the bills which they sponsor.
Law	a binding custom or practice; a rule of conduct or action prescribed as binding or enforced by a controlling authority.
Lobby	a group or person (lobbyist) seeking to influence legislators for the passage or defeat of legislation.
Majority	more than half, or the group that controls a vote of that size. Absolute majority--more than half the entire membership of a voting body. Simple majority--more than half the members present and voting at the moment.
Minority	less than half, or the group which controls only a minor fraction of the total vote in Congress.
Motion	a proposal on procedure or action presented to a legislative body.
Nonpartisan	free from party domination; not partisan. For example, a nonpartisan committee is one composed without regard to political party affiliation of its members.
Quorum	the number of members (usually, more than half) required to be present in the House, Senate, or a Congressional committee before business may be transacted.

Rider--------------an unrelated controversial measure attached to a Congressional bill in order to compel the President to accept the bill with its rider or do without the bill. (The President cannot veto part of a bill.)

Rule---------------in a special sense, the procedure set down by the House Rules Committee for debate on a bill. Open rule--permits the bill to be debated in full and amended from the floor. Closed rule--bars any amendment from the floor. "Gag" rule--limits length (usually to five minutes) of individual speeches during the debate of a measure. These rules are not used in the Senate.

S------------------as used before a bill number, indicates that the bill originated in the Senate.

Session------------a single meeting or a series of successive meetings of either or both chambers of Congress. Joint Session--a meeting attended by both chambers of Congress. Executive session--a meeting of a committee or other legislative body that is closed to the public and the press.

Statute------------a law enacted by the legislative branch of a government.

Unanimous consent-agreement to approve minor bills or to take certain procedural actions unless some member voices an objection. This eliminates necessity of time-consuming votes.

Voice vote---------(or viva voce vote)--a vote by which members of Congress respond orally by "ayes" and "nays." Teller vote--vote is tabulated numerically (not by names). Tellers (clerks) count the number of Congressmen voting for and against a given measure, without recording their names. Roll call vote--the alphabetical calling of the names of the members of the House (or Senate) to determine each member's vote on a measure.

Vocational Education Terms[12]

Agricultural education-----------------a systematic program of instruction for public school enrollees, out-of-school and post-high school youth, and established farmers, organized for the purpose of improving agricultural methods and rural living. Objectives are to develop abilities to: make a beginning and advance in farming; produce farm commodities efficiently; market commodities advantageously; conserve soil and other resources; manage a farm business; maintain a favorable environment and participate in rural leadership activities.

Area vocational school or program-----a school or program involving a large geographical territory usually including more than one local basic administrative unit. It offers specialized training to high school students, who are preparing to enter the labor market. It also provides vocational or technical education to persons who have completed or left high school and are available for full-time study. These schools are sponsored and operated by local communities or by the state.

Distributive education-----------------a program of instruction in marketing, merchandising, and management. The program is concerned with training needed for purposes of updating, upgrading, career development, and operational management.

Federal aid----------------------------a financial grant, frequently in the form of periodic payments, made by a government or agency to another government or agency by way of assistance for a special purpose. For example, funds are granted by the Federal Government to the states for the promotion and improvement of vocational education, under the terms of the federal vocational education acts.

Home economics education -------------a program of instruction which is planned for the purpose of assisting youth and adults to understand and solve problems in home and family living and/or to prepare for employment and upgrading in occupations involving knowledge and skills in home economics subjects. Subject-matter areas include: child development; family relationships; food and nutrition; clothing and textiles; family economics and home management; housing, home furnishings and equipment; and, family health.

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[12] Unless otherwise noted, definitions are from the following source: Definitions of Terms in Vocational-Technical and Practical Arts Education. American Vocational Association, Washington, D. C., 1964, pp. 3-22.

Industrial arts education-------------instructional shopwork of a nonvocational type which provides general educational experiences centered around the industrial and technical aspects of life today and offers orientation in the areas of appreciation, production, consumption, and recreation through actual experiences with materials and goods. It also serves as exploratory experiences which are helpful in the choice of a vocation.

Industrial education------------------a generic term applying to all types of education related to industry, including industrial arts education, vocational industrial education (trade and industrial education), and much technical education.

Office education----------------------a vocational education program for office careers through initial, refresher, and upgrading education leading to employability and advancement in office occupations.

Practical nurse education-------------a program offering training in approved schools and leading to licensure as a practical or vocational nurse. The trainee is being prepared to (a) give direct nursing care to patients whose health situation is relatively stable (b) assist qualified professional nurses in caring for patients whose health situation is more complex. The minimum requirements are set by the state board for vocational education while it is accredited by the profession for meeting desirable standards and licensed by the state in order to protect society from malpractice and incompetent individuals.

Reimbursable vocational program-------a class or curriculum--offered through a public school, teacher-training institution or under contract--which is organized and conducted in accordance with the provisions of the state plan for vocational education approved by the U. S. Office of Education. Such programs are eligible to receive funds from the state (from state and federal vocational education appropriations) to cover in part certain costs already incurred. Whether or not aid actually is received is immaterial.

Retraining programs-------------------courses which provide an occupational changing type of instruction serving to prepare persons for entrance into a new occupation or to instruct workers in new different skills demanded by technological changes.

State board for vocational education--the agency, created by a state, having major responsibility for the administration and general supervision of vocational education in that state. It is responsible for maintaining certain minimum standards in the expenditure of federal funds allotted to the state for vocational education.

State plan----------------------------an agreement between a state board for vocational education and the U. S. Office of Education describing (a) the vocational education program developed by the state to meet its own purposes and conditions, and (b) the conditions under which the state will use federal vocational education funds (such conditions must conform to the federal acts and the official policies of the U. S. Office of Education before programs may be reimbursed from federal funds).

Technical education-------------------education to earn a living in an occupation in which success is dependent largely upon technical information and understanding of the laws of science and principles of technology as applied to modern design, production, distribution, and service.

Technology----------------------------the application of scientific principles in research, design, development, production, distribution, or service. It often is used to denote a segment of the applied sciences, i.e., electronic technology.

Trade and industrial education--------instruction which is planned to develop basic manipulative skills, safety judgment, technical knowledge, and related occupational information for the purpose of fitting persons for initial employment in industrial occupations and upgrading or retraining workers employed in industry.

United States Office of Education-----a division of the Federal Government, within the Department of Health, Education, and Welfare, established by Congress in 1867 for the purpose of advancing the cause of education throughout the nation. The Division of Vocational and Technical Education in the Office of Education is responsible for the administration of the vocational education acts including the allocation of federal funds to the states for vocational education.

Vocational and technical education----training intended to prepare the student to earn a living in an occupation in which success is dependent largely upon technical information and an understanding of the laws of science and technology as applied to modern design, production, distribution, and service.

Vocational education--------------------vocational or technical training or retraining which is given in schools or classes (Including field or laboratory work incidental thereto) under public supervision and control or under contract with a state board or local educational agency, and is conducted as part of a program designed to fit individuals for gainful employment as semi-skilled or skilled workers or technicians in recognized occupations (including any program designed to fit individuals for gainful employment in business and office occupations, and any program designed to fit individuals for gainful employment which may be assisted by federal funds under the Vocational Education Act of 1946 and supplementary vocational education Acts, but excluding any program to fit individuals for employment in occupations which the Commissioner determines, and specifies in regulations, to be generally considered professional or as requiring a baccalaureate or higher degree). Such term includes vocational guidance and counseling in connection with such training, instruction related to the occupation for which the student is being trained or necessary for him to benefit from such training, the training of persons engaged as, or preparing to become, vocational education teachers, teacher-trainers, supervisors, and directors for such training, travel of students and vocational education personnel, and the acquisition and maintenance and repair of instructional supplies, teaching aids and equipment, but does not include the construction or initial equipment of buildings or the acquisition or rental of land.[13]

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[13] As defined in the Vocational Education Act of 1963, Public Law 88-210.

CHAPTER II

A CHRONOLOGY OF FEDERAL VOCATIONAL EDUCATION LEGISLATION PRECEDING THE ENACTMENT OF THE VOCATIONAL EDUCATION ACT OF 1963

The hue and cry from industry, labor, and agriculture for vocational education began as early as the turn of the twentieth century. Immigration laws were becoming more restrictive and the nation's supply of skilled workers migrating from Europe was diminishing. Pressures for the United States to move forward in economic growth were becoming intense while the need for additional skilled workers was becoming acute. It was in this climate that the Commission on National Aid to Vocational Education was created by an act of Congress in 1914.[1]

In 1916, Congressman Dudley M. Hughes wrote the following statement concluding that vocational education was a responsibility of the federal government:

> National efficiency is the sum total of efficiency of all individual citizens, and the national wealth is the sum of their wealth producing capacity. While, therefore, our national prosperity in the past has been largely based on the exploitation of our natural resources, in the future it must be based more and more upon the development, through vocational education, of our national resource of human labor. In the markets of the world we compete, not as individuals but as a unit, against other nations as units.

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[1] L. S. Hawkins, C. A. Prosser, and J. C. Wright. Development of Vocational Education. American Technical Society, Chicago, 1951, pp. 82-89.

> This makes the protection of our raw material and of our productive skill and human labor a national problem, and unquestionably introduces a national element into vocational education, making the right preparation of the farmer and the mechanic of vital concern to the nation as a whole.[2]

It was the report of the Commission on National Aid to Vocational Education which the Congress used as a basis to design the first act for federal aid for vocational education. This historic piece of legislation was signed into law on February 23, 1917, by President Woodrow Wilson. Worthy of note is the fact that Senator Hoke Smith from Georgia and Congressman Dudley M. Hughes of Georgia authored the legislation which was to become know years later as the Smith-Hughes Act of 1917.

Fifty-five years earlier, the Congress had provided federal assistance for vocational education which would address the needs of agriculture and industry at the collegiate level. The Morrill Act of 1862 was designated as "an act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and the mechanic arts."

The effect of the early legislation relating to agricultural education at the college level focused attention on similar needs at the secondary level. Several states were offering vocational education at the secondary level prior to the enactment of the Smith-Hughes Act of 1917, but the movement was spotty. However, with the national attention given to vocational education in the development and subsequent enactment of the Smith-Hughes legislation, vocational education was stimulated nationally.

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[2] Mayor D. Mobley and Melvin L. Barlow. "Impact of Federal Legislation and Policies on Vocational Education." The Sixty-Fourth Yearbook, Part I, The National Society for the Study of Education. University of Chicago Press, Chicago, 1965, p. 202.

The Smith-Hughes Act of 1917

The Smith-Hughes Act of 1917 was an act designed to promote vocational education in the fields of agriculture, home economics, trades and industry, and for teacher training in these fields. The act provided for a permanent appropriation of $7.1 million annually with a stipulation of dollar-for-dollar matching by state and/or local funds.

For administrative purposes, the Smith-Hughes Act created the Federal Board for Vocational Education. Section 6 of the act provided:

> That a Federal Board for Vocational Education is hereby created, to consist of the Secretary of Agriculture, Secretary of Commerce, the Secretary of Labor, the United States Commissioner of Education, and three citizens of the United States to be appointed by the President, by and with the advice and consent of the Senate. One of said three citizens shall be a representative of the manufacturing and commercial interests, one a representative of the agricultural interests, and one a representative of labor. The board shall elect annually one of its members as chairman...

The Federal Board was created for the purpose of cooperating with the states to make studies, investigations, and reports in cooperation with other federal agencies regarding the vocational education program.

Although the Smith-Hughes Act included home economics in its purposes, the only federal aid provided for home economics was for the training of teachers. Further, home economics programs were subject to the trade and industry provisions of the act for financing purposes. Home economists argued that funds should be provided for more than teacher training, and that the permissive use of not more than 20 per cent trade and industry funds for home economics was unduly restrictive. Programs authorized under the provisions of the Smith-Hughes Act were just being implemented when a movement was initiated by home economics leaders to amend the act. The movement started as early as 1920, but gained little support in Congress. In the mid-1920's, vocational agriculture leaders also began pushing for amendments to the Smith-Hughes Act of 1917.[3] The two groups, home economics and agriculture, joined forces to push for amendments to the Smith-Hughes Act and were successful in their efforts in 1929 when the Congress enacted the George-Reed Act.

The George-Reed Act of 1929

The George-Reed Act of 1929 was an act to promote the further development of agriculture and home economics in the several states and territories. No additional funds were made available for teacher training in agriculture and home economics, and no additional funds were made available for trades and industry purposes. The legislation authorized an annual appropriation of $1 million for agriculture and home economics and was scheduled to expire in 1934. The home economics appropriations were separated from the appropriations for trades and industry purposes making it possible to expand services in the field of home economics.

Leaders in the field of vocational education were wary of the temporary nature of the George-Reed Act of 1929. The vocational education program was growing nationally and vocational leaders argued that a reduction in funds resulting from the expiration of the George-Reed

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[3] John A. McCarthy. Vocational Education: America's Greatest Resource. American Technical Society, Chicago, 1952, p. 67.

Act would impede the national development of the program. Thus, another movement was started for continued and expanded federal support for vocational education.[4] Vocational educators had learned the importance of "lead time" necessary to build up a momentum and rationale for legislative action. The drive for continued federal support became a reality when the Congress enacted the George-Ellzey Act of 1934.

The George-Ellzey Act of 1934

Two years before the George-Ellzey legislation was enacted, the Congress had passed legislation to provide authority under which the President could reorganize government departments and independent agencies by executive order. The act of June 30, 1932, for the Reorganization of Federal Departments provided that executive orders would not become effective for sixty days after promulgated unless "the Congress shall in the meantime approve them." Pressed for economy in government, on December 9, 1932, President Herbert Hoover included the following order in his message to Congress:

> It is proposed to transfer the powers and duties of the Federal Board for Vocational Education to the Department of the Interior, and it is recommended that legislation be enacted abolishing the Board. Pending such legislation, the Board will serve in an advisory capacity to the Secretary of the Interior.[5]

However, the Congress did not approve the executive order and it did not become effective 61 days later.

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[4] Ibid., p. 68.

[5] L. S. Hawkins, C. A. Prosser, and J. C. Wright. Development of Vocational Education. American Technical Society, Chicago, 1951, p. 157.

When President Franklin D. Roosevelt came into office in 1933, he too, was confronted with a call for economy in government. On June 10, 1933, President Roosevelt issued Executive Order No. 6166 transferring the functions of the Federal Board for Vocational Education to the Department of the Interior with the stipulation that the Board serve in an advisory capacity without compensation. On October 10, 1933, the Secretary of the Interior issued a letter to the Federal Board for Vocational Education stating:

> ...the functions of said Board are hereby assigned to the Commissioner of Education and the necessary personnel under the Board will be organized as a subdivision of the Office of Education under the general supervision of the Commissioner of Education who has been directed to proceed with the necessary reorganization of the Office of Education...[6]

Thus, administrative responsibility for vocational education was vested in the U. S. Office of Education one year prior to the enactment of the George-Ellzey Act of 1934.

The George-Ellzey Act replaced the George-Reed Act of 1929 and provided for the further development of vocational programs for agriculture, home economics, and trades and industry.

The George-Ellzey Act authorized a $3 million annual appropriation to be divided equally for agriculture, home economics, and trades and industry. The three-year limitation of this act was even more restrictive for long-range planning than the five-year limitation of the George-Reed Act. Once again, leaders in the field of vocational education initiated a drive to overcome piecemeal legislation which, they argued, deterred long-range program planning.[7] After considerable discussion and debate the Congress responded favorably and enacted the George-Barden Act of 1936.

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[6] Ibid., p. 158.

[7] John A. McCarthy. Vocational Education: America's Greatest Resource. American Technical Society, Chicago, 1952, p. 68.

The George-Deen Act of 1936

The George-Deen Act of 1936 not only provided continued support for vocational education programs in the fields of agriculture, home economics, and trades and industry, but included federal support for the first time for the field designated as distributive occupations. The new authority was included to prepare people in the sale and distribution of goods. The George-Deen Act authorized an annual appropriation of $14 million on a continuing basis for agriculture, home economics, trades and industry, and distributive occupations programs. The George-Deen Act departed from previous vocational education legislation and limited reimbursement of salaries for directors, supervisors, and teachers of distributive occupations programs to evening schools and part-time programs. This limitation was a departure from the Smith-Hughes Act and the George-Ellzey Act which had provided for reimbursement of salaries for persons employed in part-time and evening classes as well as those engaged in pre-employment training in all fields authorized under the legislation.

The George-Deen Act, unlike the George-Reed Act and George-Ellzey Act, also authorized appropriations for teacher training and reimbursement of salaries for supervisors, directors, and teachers of agriculture, home economics, and trades and industry programs. Each state was authorized a minimum payment of $10,000 for teacher training purposes.

Vocational educators were heartened by the expanded and liberalized provisions of the George-Deen Act of 1936. As in the past years, however, vocational educators once again began a call for expanded and extended vocational education legislation. Leaders in the vocational education movement advocated federal aid for new and additional fields for which there was a need for occupational training.[8]

The Defense Training Act of 1940

In the late 1930's serious rumors of the approaching war began. The Congress, sensitive to the need for trained manpower for national defense purposes, enacted the Defense Training Act of 1940. The act provided for education and training related to national defense. Major provisions of the legislation provided for war production training which enabled the states to purchase, rent, or otherwise acquire equipment, rent space for training, use private training facilities, and coordinate training with manpower needs and supply. The legislation required no matching funds. The first year's appropriation for the war production training program was $15 million. Appropriations were expanded while the United States was engaged in World War II to more than $100 million annually. When peace was restored in 1945, the war production training program was terminated. Vocational educators had played a key role in the training of war production workers.

The nation had become highly industrialized during the war and new occupations for which no formalized educational programs existed had emerged. Despite the industrialized manpower needs, President Harry S Truman in May, 1946, promulgated a Reorganization Plan for Federal Departments. Section 8 of the plan provided that "The Federal Board for Vocational Education and its functions are abolished." The President's recommendation was approved by the Congress and the Board was abolished. In 1951, Hawkins, Prosser, and Wright said:

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[8] Ibid., p. 71.

> Both of the executive orders [Roosevelt and Truman Orders] were steps backward in educational progress...It would have been much more consistent with our whole philosophy of educational administration to have created a Federal Board of Education into which functions of both general and vocational education could have been merged rather than to abolish a board which had served so well and so effectively...[9]

Although vocational educators had been fairly successful in their drives for expanded federal vocational education legislation, the assignment of administrative responsibility for vocational education to the U. S. Office of Education was in effect a downgrading in the federal hierachy.

Vocational educators, however, had continued their drive for expanded federal vocational education legislation. Their movement met with success when the Congress enacted the George-Barden Act of 1946.[10]

The George-Barden Act of 1946

The George-Barden Act of 1946 amended and superseded the George-Deen Act. Authorizations for appropriations were increased to $29 million annually and the fifty-fifty matching provision was retained. Fields for which authorization for appropriations were made included agriculture, home economics, trades and industry, and distributive education. While no specific funds were appropriated for occupational information and guidance, the legislation made it legal to use funds for this purpose. In addition, funds were made available for programs of administration, supervision, and teacher training in agriculture, home economics, trade and industry, and distributive education. Further, funds were authorized for salaries and travel of teachers, teacher trainers, vocational counselors, supervisors, and directors of vocational education and guidance, for securing necessary information for development of vocational education and guidance, training and work experience for out-of-school youth, training of apprentices, and for rent or purchase of equipment and supplies. Ten years later the Congress enacted legislation to train practical nurses through the vocational education system.

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[9] L. S. Hawkins, C. A. Prosser, and J. C. Wright. Development of Vocational Education. American Technical Society, Chicago, 1951, p. 160.

[10] John A. McCarthy. Vocational Education: America's Greatest Resource. American Technical Society, Chicago, 1952, pp. 74-75.

The Health Amendments Act of 1956

On August 2, 1956, the Congress enacted the Health Amendments Act of 1956. Section 201 of the act provided authorizations for appropriations of $5 million annually for five years for grants to the states for practical nurse training. The act provided that the federal government would pay 75 per cent of the costs for practical nurse training for the fiscal years ending June 30, 1957, and June 30, 1958, and 50 per cent of such costs for each of the three succeeding fiscal years.[11] In 1961, the law was extended to June 30, 1965.

Six days after the Health Amendments Act of 1956 was signed into law, President Dwight D. Eisenhower approved an amendment to the

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[11] J. Chester Swanson. Development of Federal Legislation for Vocational Education. Compiled from Development of Vocational Education and Prepared for the Panel of Consultants on Vocational Education, American Technical Society, Chicago, 1962, p. 95.

George-Barden Act to provide for training in the fishing industry. The amendment authorized, on a continuing basis, $375,000 annually to the states for vocational training "in the fishing trades and industry and distributive occupations therein."[12]

On October 4, 1957, the Soviet Union launched Sputnik. The Soviet spacecraft ushered in the "space age." The nation and the Congress reacted with concern and even alarm. The Congress set to work on new legislation and on September 2, 1958, President Eisenhower signed the National Defense Education Act.

The National Defense Education Act of 1958

Title VIII of the National Defense Education Act of 1958 amended the George-Barden Act of 1946 by adding to it Title III for "Area Vocational Education Programs." The amendment authorized for appropriations $15 million annually until June 30, 1962, for area vocational education programs designed to meet the national defense needs for highly skilled technicians. The area concept in vocational education to establish schools which would serve beyond the geographic boundaries of one school district had been evolving for several years. Efforts had been made to include provision for such schools in the Vocational Education Act of 1946. A bill relative to the establishment of area vocational schools was introduced in the 84th Congress, and comparable legislation was introduced in the 85th Congress.

The provision to establish area vocational education programs was in and out of the National Defense Education legislation throughout its consideration. During the last day of debate on the bill, the Senate amended Title VIII, Section 301, of the National Defense Education Act to assure:

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[12] Ibid., p. 96.

> That funds appropriated under Section 301 of this title be used exclusively for the training of individuals designed to fit them for useful employment as highly skilled technicians in recognized occupations requiring scientific knowledge as determined by the State board for such state in the fields necessary for the national defense.[13]

The National Defense Education Act of 1958 was scheduled to terminate on June 30, 1962. However, the 87th Congress, 1st Session, enacted legislation to extend the National Defense Education Act of 1958 and Impacted Areas Aid for two additional years. The extension was approved by President John F. Kennedy on October 3, 1961.

The Area Redevelopment Act of 1961

The 87th Congress enacted the Area Redevelopment Act of 1961. Section 16 of the act provided $4.5 million for training and retraining of unemployed workers who lived in designated redevelopment areas. The legislation provided that training under the provisions of Section 16 be under the direction of the U. S. Department of Health, Education, and Welfare. The actual training in the states was under the supervision and control of the State Boards for Vocational Education. The act was temporary and scheduled to expire on June 30, 1965.[14] However, the provisions of the Area Redevelopment Act of 1961 were incorporated in the 1965 amendments to the Manpower Development and Training Act of 1962.

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[13] Ibid., p. 97.

[14] U. S. Congress. Senate. Area Redevelopment Act of 1961. Public Law 87-27, 87th Congress, 1st Session, S. 1.

The Manpower Development and Training Act of 1962

The Manpower Development and Training Act of 1962 authorized to be appropriated $161 million annually for three years and was scheduled to terminate on June 30, 1965. The act provided funds for training and retraining underemployed and unemployed individuals to develop skills needed for employment. The act was designed to be jointly administered by the U. S. Departments of Labor and Health, Education, and Welfare. Funds were appropriated to the Department of Labor. Institutional training funds were transferred from the Department of Labor to the Department of Health, Education, and Welfare. Institutional training under the legislation was under the supervision and control of the State Boards for Vocational Education. Under provisions of the legislation, training allowances were available to trainees through the Department of Labor. Although the original act of 1962 provided for 100 per cent federal financing, the 1965 amendments to the Manpower Development and Training Act provided for a 90-10 matching basis. The amendments also provided that "non-federal contributions may be in cash or kind, fairly evaluated, including but not limited to plant, equipment, and services."[15]

The Congress by enacting the foregoing legislative measures, recognized the critical need for a greater vocational education program within the educational system. The cumulative effect of the legislation had brought increased attention upon the education and training needs of the society and the inevitable need for reappraisal of vocational education statutes and programs.[16]

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[15] U. S. Congress. Senate. Manpower Development and Training Act of 1962. Public Law 87-415, 87th Congress, 2nd Session, S. 1991.

Influence of the American Vocational Association

The American Vocational Association is reported to be largely responsible for developing the initial drives for most of the foregoing federal legislation for vocational education.[17] The Association is a national, professional organization devoted exclusively to the promotion, expansion, improvement, and maintenance of vocational education. The Association budget is derived largely from its membership which is composed of vocational education teachers, supervisors, administrators, teacher educators, and friends of vocational education.

In 1960, during the heat of the national campaign for the Office of President of the United States, the late Mayor D. Mobley, Executive Secretary of the American Vocational Association, obtained commitments from each of the Presidential candidates to support expanded and improved vocational education legislation.[18] It was 1963 before the commitment was to become a reality.

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[16] Grant Venn. Man Education and Work: Postsecondary Vocational and Technical Education. American Council on Education, Washington, D. C., 1964, p. 122.

[17] Based on an Interview with Melvin L. Barlow, Historian of the American Vocational Association.

[18] Based on an Interview with Elizabeth Horton, Administrative Assistant to the Late Mayor D. Mobley.

CHAPTER III

A CHRONOLOGY OF SELECTED EVENTS, ACTIVITIES, AND FACTORS ASSOCIATED WITH THE ENACTMENT OF THE VOCATIONAL EDUCATION ACT OF 1963

The early 1960's ushered in such domestic issues as young adults clamoring for their place in the work force; a high level of unemployment; inadequate school facilities and teacher salaries; increased demands of minority groups for equal opportunities; and a lagging economy. These and other issues were highlighted during the national campaign for the Office of President of the United States. The nation was confronted with a burgeoning labor force, young and inadequately trained, which focused national attention on the need for education and training. Of the three out of every four graduating from high school, approximately half were going on to college and half of these were completing college. Too little was being done to prepare for employment the majority whose schooling did not exceed the secondary level. Those who lacked education and training were doomed to reside in the wasteland of unemployability. The unskilled and uneducated simply could not find jobs in a highly sophisticated world of technology.[1]

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[1] U. S. Congress. Senate. Committee on Labor and Public Welfare. Notes and Working Papers Concerning the Administration of Programs Authorized Under Vocational Education Act of 1963. Committee Print, 90th Congress, 2nd Session, March, 1968, pp. 8-9.

Unlike many other Presidential campaigns, the 1960 race for the Presidency directed attention to the necessity for federal assistance to education. Senator John F. Kennedy had launched his campaign by pointing to the need to develop our human resources and by making reference to federal aid for education programs and school construction. More than 131,000 new classrooms were needed, as were 135,000 additional teachers.[2]

In March, 1963, the Joint Economic Committee reported that unemployment for the previous 13 months was about 5.6 per cent and that the peak unemployment in 1961 averaged about 5.2 per cent.[3]

The United States was confronted with a paradox in that an estimated four million persons were unemployed in early 1963 while a severe shortage of skilled manpower existed. The country was anticipating an expanding labor force of approximately 26 million young people during the period between 1960 and 1970--a much larger number than the country had been required to educate, train, and absorb into employment in any other comparable length of time.[4]

The nation was undergoing a manpower revolution unequaled in previous history. Senator Joseph S. Clark, Chairman of the Subcommittee on Employment and Manpower of the Committee of Labor and Public Welfare,

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[2] U. S. President. Public Papers of the Presidents of the United States. Washington, D. C.: Office of the Federal Register, National Archives and Records Service, 1961, p. 22.

[3] U. S. Congress. Joint Economic Committee. 1963 Joint Economic Report. Senate Report No. 78, 88th Congress, 1st Session, May, 1963, p. 1.

[4] U. S. Congress. Senate. Committee on Labor and Public Welfare. Nation's Manpower Revolution. Hearings Before the Subcommittee on Employment and Manpower, United States Senate, 88th Congress, 1st Session, 1963, p. 2.

United States Senate, stated in the opening session of hearings on the Nation's Manpower Revolution on May 20, 1963:

> The chairman of the subcommittee agrees with the President that the most urgent domestic problem before the nation today is unemployment. But unemployment is a symptom of a broader and more fundamental challenge, it is part of a manpower revolution and as is the case with most revolutions it has its good and its bad sides. The most pernicious evil this revolution has spawned is unemployment.[5]

Senator Clark continued his statement by observing that studies conducted by the Subcommittee on Employment and Manpower were based on two basic assumptions:

> First, that the solution of the nation's unemployment problems cannot be found unless the economy is growing at a sufficiently rapid rate to absorb the enormous number of new entrants into the labor force we can expect in the coming years.
>
> Second, policies designed to speed up our national growth rate alone are not sufficient to solve the critical manpower and employment problems before us. At least half of the national employment is structural...Such structural unemployment can only be solved through educational and development efforts designed to equip men and communities for economic survival in a radically new kind of society.[6]

The Report of the Joint Economic Committee on the January, 1963, Economic Report of the President stated that the rate of economic expansion had slowed during 1962 and that the economy was still short of full employment. The nation, the Committee report said, had been experiencing a widening gap between demand and potential output for the last five years. In fact, the Committee reported "...the ratio of actual to potential output has been stable or drifting slowly downward since the fourth quarter of 1961."

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[5] Ibid., p. 1.

[6] Ibid., p. 2.

In reporting on the role of structural changes, the Joint Economic Committee wrote that existing economic policies had contributed to "the nation's problems of unemployment and idle capacity." The Committee report went on to say:

> The major problem is inadequate total demand, but the situation has been aggravated by some serious structural problems: immobility of labor and capital; workers without the training and experience for new job opportunities opening up in our economy; particularly local areas in which, for one reason or the other, dynamic changes in technology and demand have left resources without profitable employment...These structural changes are a significant impediment to further non-inflationary expansion of demand and output when unemployment is at or below 4 per cent. But persistent unemployment of 5-7 per cent reflects inadequate total demand--not these structural influences.[7]

The Joint Economic Committee report further stated:

> We are also concerned about the tremendous needs that exist in the fields of education. Perhaps in no other field can a dollar of additional expenditures yield as high a longrun rate of return. It has been estimated, for example, that at least 40 per cent of the economic growth during the post war period is attributable to our expanding educational base.[8]

With regard to the nature of the nation's economic problems in 1963, the minority views of the Joint Economic Committee indicated that the most serious problem of the decade of the 1960's was the constant and continual adjustment required in our society to keep pace with rapid technological changes. W. Willard Wirtz, U. S. Secretary of Labor, testified before the House Ways and Means Committee on February 8, 1963, and spoke of technological changes in terms of "a revolution in the replacement of men by machines." Automation was coined as the word which most nearly described the technological revolution of the 1960's.

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[7] U. S. Congress. Joint Economic Committee. 1963 Joint Economic Report. Senate Report No. 78, 88th Congress, 1st Session, May, 1963, p. 4.

[8] Ibid., p. 19.

While certain people held that automation reduced job opportunities, others held that automation created new jobs. The Report of Joint Economic Committee stated that "Automation creates demands for new and higher skills, but it makes old skills obsolete." Moreover, those persons with no skills or minimal skills were becoming increasingly subjected to frequent and persistent periods of unemployment.

The Minority report continued by stating:

> Clearly the primary challenge of the 1960's is to ease and facilitate the adjustment of our people to these economic forces of change. Technological advances will provide opportunities for a fuller, more satisfying and freer life for all of our people. But it will take imagination and effort to insure that those lacking needed skills or experience, those who are poor in talent and those who suffer from discrimination in employment share in the opportunities which these developments will provide. Failure to adjust will bring untold human suffering as well as blunt our efforts to achieve a higher level of sustained economic growth.[9]

Continuing its review of the President's Economic Report of 1963, the Joint Economic Committee summarized the unemployment problem as follows:

> Our unemployment problem has been aggravated further by barriers to worker mobility, industrial migration, featherbedding on the part of both management and labor, foreign competition, multiple jobholding by individuals, the movement of workers away from the farm, inadequate attention to the rehabilitation of the physically and mentally handicapped, discrimination based on age, sex, race, and creed, weaknesses in our educational system, particularly in the area of vocational training, and a tax structure which discourages industrial expansion. Compounding the problems caused by the technological revolution and these other factors, we will soon face an explosion in the size of

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[9] Ibid., p. 66.

> our labor force as the large number of babies born in the 1940's reaches working age.[10]

The persistent and high level of unemployment and the need to develop our human resources were serious domestic issues confronting the nation when John F. Kennedy was sworn in as President on January 20, 1961.

The 87th Congress, 1961-1962

In his first State of the Union Message in 1961, President John F. Kennedy emphasized the educational needs of the nation. He stressed that "federal grants for both higher education and public school education can no longer be delayed."[11]

President Kennedy submitted his Special Message on Education to Congress on February 20, 1961. He requested federal aid for elementary and secondary schools. More specifically, he asked for federal grants of $2.3 billion over a three-year period to be used for construction of elementary and secondary schools and for teachers salaries. He requested an extension of the College Housing Loan Program for constructing dormitories. In addition, he recommended a five-year scholarship program to be administered by the states. He urged Congress to enact legislation authorizing loans for the construction of classrooms, libraries, laboratories, and related academic facilities. Finally, the President directed the Secretary of the U. S. Department of Health, Education, and Welfare to convene a national advisory body

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[10] Ibid., p. 66.

[11] U. S. President. Public Papers of the Presidents of the United States. Washington, D. C.: Office of the Federal Register, National Archives and Records Service, 1961, p. 22.

"to be charged with the responsibility of reviewing and evaluating the current National Vocational Education Acts and making recommendations for improving and redirecting the program."[12]

Since President Kennedy did not advocate funds for private and parochial schools, Catholic educational leaders started an immediate protest. Once again, the problem of federal aid to public versus private and parochial schools brought intense and heated debate. The religious issue proved to be an insurmountable hurdle for the Administration.

In addition to the religious issue, certain members of Congress opposed any proposal which would provide federal funds for segregated schools. The Chairman of the Committee on Education and Labor, House of Representatives, Adam Clayton Powell, had indicated he would attach an amendment to any educational legislation he thought appropriate. The Powell amendment would have prevented federal aid for segregated schools. In previous sessions of Congress, the Powell amendment had meant defeat for federal aid to education in the House of Representatives.

The Administration's proposed legislation for elementary and secondary education was introduced in the House as H.R. 4970 and in the Senate as S. 1021.

In March, the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives, began hearings on H.R. 4970. Two months later the House Committee on Education and Labor voted the bill out for floor action. On June 20, the bill was sent to the House Committee on Rules, and on July 18, 1961, the Committee on Rules voted to withhold action on all education legislation for the first session of the 87th Congress. The Committee on Rules vote had killed any hope of general federal aid to public education in 1961.[13]

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[12] U. S. President. Message from the President of the United States Relative to American Education. 87th Congress, 1st Session, February 20, 1961.

The Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate, started hearings on S. 1021 in March, 1961. Throughout the hearings, testimony centered around the church-state issue. During the hearings the question of constitutionality of federal aid to private schools was raised by Senator Wayne Morse, Chairman of the Subcommittee on Education. Chairman Morse asked the Secretary of the U. S. Department of Health, Education, and Welfare to file a legal brief on the constitutionality of federal aid to private schools. The Secretary submitted a legal brief, but the Department's legal staff was unable to say precisely that programs which provided incidental benefits to sectarian schools were constitutional.[14] The Department's legal brief implied that no violation of the First Amendment would be constituted when programs were not directly connected with religion. The brief was less restrictive with regard to higher education. Because of educational and historical differences between compulsory elementary and secondary education and voluntary higher education, scholarships as well as cost of education allowances were ruled within constitutional bounds. The legal brief also ruled that loans for college academic facilities were "less constitutionally vulnerable than grants" and were therefore within constitutional limits. The Administration's proposals for higher education were considered valid and within constitutional bounds.[15]

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[13] "Resume of 1961 Action on School Aid Bills," *Congressional Quarterly Almanac*. XVII, Congressional Quarterly, Inc., Washington, D. C., 1961, pp. 213-214.

[14] U. S. Congress. Senate. *Constitutionality of Federal Aid to Education in its Various Aspects*. Senate Document No. 29, 87th Congress, 1st Session, 1961, pp. 21-22.

The legal brief submitted by Department of Health, Education, and Welfare was accepted by the Senate Subcommittee on Education. On May 11, 1961, the Senate Committee on Labor and Public Welfare voted the bill out for floor action. The bill, amended in committee, increased the authorization for a three-year period from $2.3 billion to $2.5 billion. In addition, the bill authorized federal grants to states for school construction and raising public school teachers salaries. As in the House bill, the Senate bill continued aid to federally impacted areas. On May 25, 1961, the Senate passed the School Assistance Act of 1961 by a 49-34 roll-call vote.

Although the Senate gave its approval to the general school aid bill, the vote of the House Committee on Rules on July 18 to withhold action on education legislation killed the Administration's program for federal aid to elementary and secondary education.

The Administration's education proposals for higher education were doomed to a similar fate by both Houses of Congress.

The Congress was stalled on education legislation and leadership in the House and Senate agreed to work for a simple two-year extension of the National Defense Education Act and Impacted Areas Aid. Both Houses of Congress acted favorably on the measure to extend these programs, and on October 3, 1961, President Kennedy signed the bill to extend National Defense Education Act and Impacted Areas Aid legislation.[16]

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[15] Ibid., p. 21.

The Administration's education proposals had suffered defeat by the 87th Congress, 1st Session. However, the 87th Congress, 1st Session, was disposed to enact legislation to alleviate the social and economic pressures mounting in extremely depressed areas of the nation. To meet social and economic needs of chronically depressed areas, the Congress enacted the Area Redevelopment Act of 1961. Among other things, the legislation authorized $4.5 million for vocational training for unemployed and underemployed persons living in designated redevelopment areas.[17]

Although his education proposals had suffered defeat in the 1st Session of the 87th Congress, President Kennedy was persistent in his efforts for federal aid for education. On February 6, 1962, President Kennedy sent his Message to the 2nd Session of the 87th Congress Relative to American Education. He made an eloquent appeal for support to education by starting his message as follows:

> No task before our nation is more important than expanding and improving the educational opportunities of our people. The concept that every American deserves the opportunity to attain the highest level of education of which he is capable is not new to this administration--it is a traditional ideal of democracy. But it is time that we move toward the fulfillment of this ideal with more vigor and less delay.[18]

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[16] "Resume of 1961 Action on School Aid Bills," Congressional Quarterly Almanac. XVII, Congressional Quarterly, Inc., Washington, D. C., 1961, pp. 213-214.

[17] U. S. Congress. Senate. Area Redevelopment Act of 1961. Pulic Law 87-27, 87th Congress, 1st Session, S. 1.

[18] U. S. President. Message from the President of the United States Relative to an Educational Program. 87th Congress, 2nd Sessin, February 6, 1962.

Once again, President Kennedy requested legislation to assist elementary and secondary education and institutions of higher education. He also called for legislation to improve the quality of education through scholarships, institutes, grants to institutions of higher education to strengthen teacher preparation programs through improved curricula and teaching methods, amendments to the Cooperative Research Act for research and demonstration projects, and grants for local public school systems to conduct demonstration and experimental projects to improve the quality of instruction or meet special educational problems in elementary and secondary schools. In addition, the President recommended that the five-year assistance to higher education proposal before the Congress be enacted to include scholarships and cost of education payments to colleges.

President Kennedy also recommended programs for medical and dental education and scientific and engineering education. He further recommended a five-year program of grants to institutions of higher education and to the states to reduce adult illiteracy. The President also requested a five-year federal-state program to aid states and local districts in improving the educational opportunities of migrant workers and their children. He urged Congress to enact legislation for matching grants to assist in the construction of educational television stations. The President also proposed a broadening of the base for aid to handicapped children. Finally, he urged the Congress to approve a measure to establish a Federal Advisory Council on the Arts to undertake studies concerning the nation's cultural heritage.[19]

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[19] Ibid.

At the outset of the 2nd Session of the 87th Congress, the Administration decided to press for a college aid bill. Initially it appeared that the Administration's decision was wise for the House passed H.R. 8900, College Academic Facilities Act, early in the session. Within two weeks, the Senate had considered the same bill, and with amendments, had approved it. In general, the House bill provided loans and grants to both public and private institutions of higher education for construction of academic facilities, including graduate schools and junior colleges. The Senate version of the bill provided loans for construction aid to public junior colleges and scholarship aid to college students, but no grants.

Senate and House conferees were appointed to iron out the differences of the two bills. After the House conferees agreed that the whole House should vote on the Senate scholarship provision of the bill, the House Committee on Rules voted to permit the bill to go to conference in May, 1962.

The conference committee finally agreed on a compromise bill which would provide grants and loans to public and private colleges for classroom and library construction. Further, the committee agreed that grants could be made only for buildings constructed for engineering, science, and libraries. For construction purposes, loans were authorized for academic facilities not intended for athletic or religious activities. The committee report also authorized funds for student loans and grant assistance to public junior colleges. Twenty per cent of each school's funds could be used for exceptionally needy or promising students. These loans became known as "nonreimbursable loans" and did not have to be repaid.

When the conference committee completed its work the conference report was presented to the House of Representatives. The church-state issue was revived during debates in the House and certain members of House objected to the "nonreimbursable loans" provision for student loans. The House voted to recommit the bill 214-186 with instructions to the Committee on Education and Labor to delete the student assistance provisions included in the compromise bill. Any action on the part of the Senate would have been fruitless.

Only two of the Administration's recommendations were enacted into law. First, the Congress acted favorably on an increase in the annual authorizations for appropriations for the National Science Foundation. Second, the Congress passed the Educational Television Act of 1962. The Educational Television Act provided assistance in the form of grants to tax-supported educational agencies, or to non-profit agencies, primarily devoted to encouragement of or engagement in educational television. The act provided authority for grants for a five-year period.

The Administration had called for a multi-billion dollar program of grants for construction and salaries for public elementary and secondary education, a loan program for construction of college and university facilities, and a scholarship program in 1961 and again in 1962, but not one of these proposals was enacted into legislation.[20]

The Administration's education program had suffered a stinging defeat at the hands of the 87th Congress. Resistance to federal aid had centered around federal control, segregation, and the church-state issue.[21] While the President fought vigorously for federal aid to education, it was not until the 88th Congress that the Administration's proposals on education began to receive favorable consideration.

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[20] "President's Educational Program Stalled," Congressional Quarterly Almanac, XVIII, Congressional Quarterly, Inc., Washington, D. C., 1962, 231-232.

However, the 87th Congress, 2nd Session, did enact legislation for manpower training purposes. The country was faced with an all-time high unemployment rate and young adults, unskilled and untrained, were knocking at the doors of potential employers. In addition, the economy was moving forward at a snails pace while technological advances were rapidly expanding. The Congress again became concerned with social and economic ills of the country and the need for training and retraining on a national basis. Congress had enacted the Area Redevelopment Act the year before, but training and retraining provisions of the legislation provided only limited funding authority. Also, training was restricted to those persons living in designated economically depressed areas. The necessity for developing a training and retraining program for underemployed and unemployed persons on a nationwide basis motivated the Congress to enact the Manpower Development and Training Act of 1962.

The Manpower Development and Training Act was designed to deal with the problems of unemployment resulting from automation and technological changes and other types of persistent unemployment.[22] The act was designed to be administered jointly by the U. S. Departments of Labor and Health, Education, and Welfare. The legislation provided that funds were to be appropriated to the Department of Labor and transferred to the Department of Health, Education, and Welfare for institutional training purposes. Further, the act provided 100 per cent federal financing the first two years and included provisions for training allowances for trainees. By law, the Department of Labor was to administer the training allowances through the State Employment Agencies while the Department of Health, Education, and Welfare was responsible for institutional training through the State Boards for Vocational Education. The central purpose of the legislation was to reduce unemployment and underemployment by providing the necessary training and retraining needed by individuals to develop salable skills. Authority was provided in the legislation for research and evaluation relating to problems created by automation, technological progress, and other changes in the structure of production and demand on the use of the nation's human resources.

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[21] William T. O'Hara. John F. Kennedy on Education. Teachers College Press, Columbia, 1966, p. 122.

[22] U. S. Congress. Senate. Manpower Development and Training Act of 1962. Public Law 87-415, 87th Congress, 2nd Session, S. 1991.

Authority was provided for experimental and demonstration programs for improving techniques and special methods to meet the manpower, employment, and training problems of the long-term unemployed. Moreover, the act gave authority to the Secretary of Labor to appoint a National Advisory Committee and stated that such a committee "shall from time to time make recommendations to the Secretary relative to the carrying out of his duties under the act."[23] It is interesting to note that no such provision was made for the Secretary of Health, Education, and Welfare to assist him in carrying out his duties as designated under the act.

While the Manpower Development and Training Act was not vocational education legislation in the traditional sense, it did provide a tremendous boost to the vocational education program nationally. First, the act authorized the appropriation of more federal funds than all of the existing vocational education acts combined. Second, the act provided 100 per cent federal financing for the first two years which meant that the states could move forward rapidly in establishing programs without the necessity of concentrating their efforts on finding matching funds.

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[23] Ibid.

Panel of Consultants on Vocational Education, 1961-1962

While the 87th Congress was embroiled in discussions and debates concerning the nation's social and economic plight, the Panel of Consultants on Vocational Education was making an intensive review and evaluation of the national vocational education statutes with a view toward improvement and redirection. The Panel had been appointed by the Secretary of the U. S. Department of Health, Education, and Welfare at the direction of President Kennedy. This was the first time in over a half-century that the President of the United States had placed the power and prestige of the White House behind a study of vocational education needs. Not since the historic Commission on National Aid to Vocational Education made its report in 1914 had so much attention been directed to the vocational education needs of the nation. The Panel started its work in November, 1961, and completed its work in November, 1962. Significantly, it was the final report of the Panel of Consultants on Vocational Education, *Education for a Changing World at Work* which Congressional architects used as a basic framework to design th Vocational Education Act of 1963.

The Panel of Consultants on Vocational Education considered the "education needs of all nonprofessional workers."[24] After deliberating for a year, the Panel found two significant shortcomings in vocational education. First, the Panel reported that the vocational education program had been insensitive to the needs of various groups of people within the population, and second, the program had been insensitive to changing labor market needs.[25]

Moreover, the Panel found that post-secondary programs had been neglected even though technological changes called for sophisticated technical training. Tragically, the distribution of total enrollments in the program did not coincide with employment opportunities. Nearly two-thirds of the national vocational education enrollments were in home economics and agriculture. The Panel was particularly disturbed that so few programs were offered in large urban areas. Moreover, a dearth of programs existed for those persons who had socioeconomic or academic handicaps which made it difficult to profit from regular vocational education programs.

The Panel also found that vocational education programs were available to too few high schools and that programs which did exist were preparing people for limited employment opportunities. While training for office occupations was needed, no federal funds could be used for such purposes. Quality control had been neglected in teacher education, curriculum development, counseling and guidance, evaluation, and facilities and equipment.

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[24] U. S. Department of Health, Education, and Welfare. Education for a Changing World of Work: Report of the Panel of Consultants on Vocational Education. Washington, D. C.: Government Printing Office, 1963, p. xv.

[25] Ibid., pp. 206-214.

The Panel criticized the lack of long-range planning in the vocational education program. Moreover, inadequate data on the vocational education program made it difficult for the Panel to make its evaluation.[26] The Panel stated in its report:

> Little or no evidence has been gathered regarding the results or effectiveness of the instruction given, and various rationalizations and excuses have been offered over the years for inadequate program statistics...

The Panel found that the current system of federal support for vocational education was outmoded and recommended a functional program suited to the vocational education needs of groups of people within the population. Among the Panel recommendations, federal support was encouraged for the following groups:

1. Youth in high school
2. Youth with special needs
3. Post-high school youth and adults
4. Out of school youth and adults at work or unemployed

In addition to providing expanded vocational education opportunities for the groups identified above, the Panel recommended that the federal government support the following services designed to improve and upgrade vocational education:

1. Teacher training for vocational education
2. Development of new curricula and materials
3. Expanded and improved guidance and counseling services
4. Research activities to assist in evaluating and improving the program
5. Expansion of professional vocational education staff at the Federal level

Moreover, the Panel declared that the investment in vocational education was "grossly incommensurate with the national interest and federal responsibilities." Financial support, the Panel said, was not keeping pace with the changing requirements for a highly trained labor force.[27]

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[26] Ibid., p. 207.

To provide for the services to improve the quality of vocational education and to implement programs designed to meet the needs of groups of people within the population, the Panel recommended an annual authorization of appropriations of $400 million.[28]

Thus, it is understandable that the report of the Panel of Consultants on Vocational Education had a profound effect on the provisions which were to be written in vocational education legislation by the 88th Congress, 1st Session.

The Panel of Consultants on Vocational Education had furnished the U. S. Office of Education with information and data which was later used by federal officials to draft proposed vocational education legislation.

Although the Administration's legislative proposals for federal aid to education were hopelessly stalled in the 87th Congress, President Kennedy was undaunted in his quest for new and expanded federal aid to education. At the direction of President Kennedy, officials in the Department of Health, Education, and Welfare, U. S. Office of Education, started drafting the Administration's proposed legislation for federal aid to education in the fall of 1962.[29] The education proposals drafted by officials in the Department of Health, Education, and Welfare were to be submitted to the President to be included in his Message on Education to the 1st Session of the 88th Congress.

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[27] Ibid., p. 213.

[28] Ibid., p. xx.

[29] Based on an Interview with Officials in the Department of Health, Education, and Welfare, U. S. Office of Education.

The power and prestige of the President of the United States was behind the federal officials who were designated to draft the Administration's proposed education program. Federal officials responsible for drafting the Administration's proposal for federal aid to education enlisted support for the proposed legislation by calling upon selected national organizations, including professional associations, for advice and counsel. According to Albert Alford, it was the American Vocational Association which provided a collective voice representing the needed changes in vocational education legislation.[30]

The 88th Congress, 1st Session, 1963

At the outset of the 88th Congress, 1st Session, President Kennedy again addressed the educational needs of American citizens. His thesis that the pace of education sets the pace of the country had not changed during his term in office, and he insisted that the federal government still had not met its responsibilities in the field of education. In order to improve the quality of education and to meet the needs of vast numbers of persons desiring education, President Kennedy proposed a comprehensive education program.

President Kennedy Calls for a Comprehensive Education Program

On January 29, 1963, President Kennedy sent his proposal for a comprehensive education program to the Congress. He said:

> Education is the keystone in the arch of freedom and progress. Nothing has contributed more to the enlargement of the nation's strength and opportunities than our traditional system of free,

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[30] Based on an Interview with Albert Alford, Office of Legislation, U. S. Office of Education.

> universal elementary and secondary education, coupled with widespread availability of college education...For the nation, increasing the quality and availability of education is vital to both our national security and our domestic well-being. A free nation can rise no higher than the standard of excellence set in its schools and colleges...Today we need a new standard of excellence in education, matched by the fullest possible access to educational opportunities, enabling each citizen to develop his talents to the maximum possible extent...Our concern as a nation for the future of our children--and the growing demands of modern education which federal financing is better able to assist--make it necessary to expand federal aid to education beyond the existing limited number of special programs...I am proposing today a comprehensive, balanced program to enlarge the federal government's investment in the education of its citizens--a program aimed at increasing the educational opportunities of potentially every American citizen, regardless of age, race, religion, income, and educational achievement... To enable the full range of educational needs to be considered as a whole, I am transmitting to the Congress with this message a single, comprehensive education bill--the National Education Improvement Act of 1963.[31]

The Administration's proposed National Education Improvement Act of 1963 became known commonly as the omnibus bill, and was numbered H.R. 3000 in the House of Representatives and S. 580 in the Senate. The omnibus bill contained seven titles and 24 separate provisions. Title V, Part A, of the omnibus bill dealt specifically with vocational education. Proposals in the omnibus bill ranged from aid to higher education, to encouragement of elementary, secondary, vocational, and special education, along with federal funds for libraries and extension courses so that all Americans might participate in education as an unending process.[32]

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[31] U. S. President. *Message from the President of the United States Relative to a Proposed Program for Education, and a Draft of a Bill to Strengthen and Improve Educational Quality and Educational Opportunities in the Nation*. House of Representatives, Document No. 54, 88th Congress, 1st Session, January 29, 1963.

[32] William T. O'Hara. *John F. Kennedy on Education*. Teachers College Press, Columbia, 1966, p. 154.

President Kennedy was opting for a broad base of appeal hoping to secure support of special selected national interest groups. Then, too, the Administration hoped to focus national attention on the problems and needs of education in general.[33] Moreover, President Kennedy was continuing his support for civil rights and hoped to include in the proposed educational legislation provisions which would attract Southern votes as well as support by the minority party.[34] According to William O'Hara, President Kennedy submitted the proposed National Education Improvement Act of 1963 to the Congress "on the theory that the support of the various proponents of federal aid to education could be joined to pass the bill."[35]

The Administration's vocational education proposal was unacceptable to the American Vocational Association. First, the provisions for vocational education were introduced as Title V, Part A, of the Administration's omnibus National Education Improvement Act. The American Vocational Association wanted a separate bill. Second, the Administration refused to incorporate the recommendations of the Panel of Consultants on Vocational Education that $400 million should be authorized for vocational education programs annually. In addition, the Administration's proposed vocational education measure would have replaced the George-Barden Act and its amendments. These provisions were unacceptable to the Association. Vocational education leaders began to search for an advocate for their own. Their champion became Representative Carl Perkins from Kentucky who introduced H.R. 4955, a separate bill for vocational education, on March 18, 1963.[36]

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[33] Based on an Interview with Samuel Halperin, Assistant Secretary for Legislation, U. S. Department of Health, Education, and Welfare.

[34] Based on Conversation with Minority Staff of the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives.

[35] William T. O'Hara. John F. Kennedy on Education. Teachers College Press, Columbia, 1966. p. 24.

The Administration's omnibus bill received mixed reactions in the Congress. While selected members of the Congress criticized the Administration for submitting the omnibus bill, proponents for federal aid to education lauded it. Critics complained that the Administration had failed to establish priorities for education legislation while advocates responded that the massive proposal would magnify attention for the necessity of such legislation. The size of the omnibus bill (185 pages) and pressures by selected groups to move forward in holding hearings on certain portions of the proposed legislation caused the House leadership to dismantle the bill for purposes of holding separate hearings on its various components.[37] The House of Representatives was first to act on the omnibus bill and in the latter part of March, 1963, the General Subcommittee on Education of the Committee of Education and Labor started hearings on Title V, Part A, of H.R. 3000.

Hearings on H.R. 3000, Title V, Part A, and H.R. 4955 by the House General Subcommittee on Education

Hearings scheduled by committees of the House and/or Senate customarily follow traditional procedures. Testimony presented in behalf of pending legislation is generally submitted by members of

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[36] Sar A. Levitan. Vocational Education and Federal Policy. W. E. Upjohn Institute for Employment Research, Kalamazoo, Michigan, 1963, p. 27.

[37] Douglas E. Kliever. Vocational Education Act of 1963: A Case Study in Legislation. American Vocational Association, Washington, D. C., 1965, p. 22.

Congress, departmental witnesses (representing the Administration), and public witnesses (usually representing national or state organizations). Congressional representatives who wish to testify on a particular legislative measure may do so by submitting a request to the chairman of the committee holding hearings. In general, members of Congress who testify are given priority over other witnesses.

As a matter of tradition, the first witnesses to appear before any congressional committee holding hearings are usually officials of departments or agencies of the federal government who may be responsible for the administration of the bill under consideration. Departmental or agency witnesses usually represent the Administration's views in their testimony.

Public witnesses are usually invited by congressional committees to express views of national associations and organizations. In addition, individuals who have demonstrated outstanding work in a field related to the pending legislation may be invited to testify on a particular legislative proposal. Public witnesses may represent national, state, or local views. An organization or an individual may request an opportunity to testify before a particular committee. Written statements may be submitted to the committee on any bill being considered. The decision to issue an invitation to appear before a congressional committee finally rests with the chairman of the committee holding hearings. Verbatim transcripts of testimony presented are kept and held open by the committee for ten days to permit witnesses to submit additional or new material.[38]

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[38] Based on an interview with Alexandra Kisla, Clerk, General Subcommittee on Education of the Committee on Education and Labor, House of Representatives, U. S. Congress.

The testimony which was presented before committees of the House of Representatives and the United States Senate on H.R. 3000, Title V, Part A, and H.R. 4955 on the proposed vocational education legislation in 1963 has been abstracted from seven volumes of hearings. No attempt has been made to include every statement given in behalf of the proposed legislation. For purposes of this study, the order in which testimony was given before both the House and Senate committees has been reorganized to reflect positions held by (1) members of Congress, (2) departmental witnesses (officials of various departments and agencies of the federal government), and (3) national organizations and associations. Thus, the testimony which follows does not appear in chronological order.

On March 25, 1963, the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives, commenced hearings on the Administration's omnibus bill, H.R. 3000, Title V, Part A, and H.R. 4955.[39] Representative Carl D. Perkins, Chairman of the Subcommittee, called the committee to order. He said:

> We have with us today Mr. Francis Keppel, U. S. Commissioner of Edudation, who will give the Department's view of vocational education legislation that has been introduced.
>
> In your statement, I presume, Mr. Keppel, you will address attention to Title V, Part A, of H.R. 3000. I have likewise introduced a bill, which is H.R. 4955, dealing entirely with vocational education...I am encouraged by some indications that this legislation may receive bipartisan support.[40]

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[39] See Appendix C for Members of the Committee on Education and Labor and the General Subcommittee on Education, House of Representatives.

[40] U. S. Congress. House. Committee on Education and Labor. Vocational Education Act of 1963. Hearings Before the General Subcommittee on Education, House of Representatives, on Title V, Part A, of H.R. 3000, and H.R. 4955, 88th Congress, 1st Session, 1963, p. 1.

Francis Keppel, U. S. Commissioner of Education

Francis Keppel, U. S. Commissioner of Education, addressed his testimony solely to H.R. 3000, Title V., Part A. Commissioner Keppel said:

> The task today, as I conceive it, is to determine the extent to which federal support of vocational education is needed to further encourage and assist the states to develop the kind of vocational education opportunities, and enough of them, to meet the pressing needs of our economy for technicians and skilled workers of every kind...It may not be long before virtually all jobs will require some kind of specialized training, together with a good background in general education. If we do not make provisions in our schools for vocational education opportunities for everyone who might need them, we will be compounding for the future our present problems of the hard core unemployed.[41]

Commissioner Keppel expanded his statement by saying that special training programs should be developed for potential dropouts, as well as programs for those individuals with academic, socioeconomic, and other handicaps. The Commissioner observed that special vocational training programs operated under the provisions of the Manpower Development and Training Act and the Area Redevelopment Act "are ample evidence that technological changes, shifts in market demands, and other recent economic changes have had their adverse effects upon people."

Keppel made a plea that this country must provide increased educational opportunities to guard against future generations of unskilled and uneducated Americans. He went on to say "...vocational education has only one principal purpose: to train people to earn a living." He said:

> Strong vocational education programs can help eliminate some of these problems before they come to full-bloom proportions. But the general educator and the vocational

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[41] Ibid., p. 66.

> educator must recognize that they are working toward a common goal, that their work is interrelated. A good vocational program is dependent upon a good basic education program. It is equally dependent upon an enlightened guidance program which recognizes the contribution vocational training can render to many people. It is dependent upon acceptance by the academic community as a vital part of education...It is up to general education, in sum, to generate public appreciation of the worth of vocational education.[42]

Keppel was unequivocal in his statement that:

> ...it is incumbent upon Congress and the U. S. Office of Education, in my opinion, to stimulate, encourage and support the undergirding of vocational education that is now long overdue.[43]

According to Keppel's testimony, Title V, Part A, of H.R. 3000 was based upon two assumptions. The first assumption was that occupational categories in the existing statutes were no longer adequate to meet the vocational education training needs in a rapidly changing society. The second was that the appropriation levels authorized by existing statutes were inadequate in light of the nation's rising population and school costs.

The Commissioner of Education continued his testimony by pointing out that existing vocational education statutes provided appropriations for specific categories--agriculture, home economics, distribution, fisheries, practical nursing, technicians, and trades and industry--and that states were allotted fixed sums, as determined by law, for each category. Programs, Keppel said, were based on federal allocations available rather than upon training needs.

Keppel then asked the following question:

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[42] Ibid., p. 68.

[43] Ibid., p. 68.

> If our goal is occupational competence--and it is and should be--should we not legislate, appropriate, and administer in terms of the kinds and number of people to be trained and retrained, rather than on the basis of fixed allotments for limited occupational categories?[44]

Commissioner Keppel supported his thesis by saying the Panel of Consultants on Vocational Education had recommended that certain limitations in the present categorical grants should be removed. For example, under existing vocational education statutes no federal funds could be used for office occupations education simply because office occupations were not specified in any law. Another limitation of existing vocational education statutes provided that distributive education students must be employed in the field of distribution prior to enrolling in a federally supported program. The Commissioner of Education argued that these limitations provided undue restrictions in providing vocational education opportunities in two rapidly growing labor markets.

Keppel then turned his attention to the level of appropriations for vocational education by noting that, in 1962, states and local communities matched some $51 million of federal funds by more than four and one-half to one. He said:

> It is now clear that the size of the federal role is inappropriate to the task before us which is one of increased stimulation for greatly expanded vocational education.[45]

Further, Commissioner Keppel remarked:

> It must be recognized that the rising costs of public education have tended to hamper the growth of vocational education in recent years...The problem of

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[44] Ibid., p. 69.

[45] Ibid., p. 70.

> financing, then, is central in any effort to expand vocational education services to levels that will be realistic in terms of population growth and consistent with our economic expansion goals.[46]

Commissioner Keppel discussed major provisions of Title V, Part A, H.R. 3000 and his interpretations of those provisions.

Essentially, Title V, of H.R. 3000, would have replaced the George-Barden Act and authorized to be appropriated $73 million for the fiscal year 1964. Subsequent appropriations during the next four years were to be made in such amounts as the Congress would determine based on 1964 program accomplishments.

The requirement for the federal matching monies to be applied to specific occupational categories would have been removed under the Administration's proposal (H.R. 3000). Further, state allotments could have been used for youths attending high school; for those who had completed or left high school and who were available for full-time study; for persons who needed to enroll in vocational education to learn new skills or to advance in their present position; and for individuals who needed special attention because of inability to succeed in the regular vocational education programs.

Federal funds were also authorized for construction of area vocational schools, educational supervision and administration, teacher training, experimental programs, and other auxiliary services which might have improved the vocational education program.

Emphasis was placed on the kinds of people to be served and the special facilities and services needed to do the job.

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[46] Ibid., p. 80.

Each year's state allotments were authorized as follows: 50 per cent of federal funds appropriated would have been allotted among the states based on their relative population aged 15 to 19 inclusive; 20 per cent on the basis of their population aged 20 to 24 inclusive and their per capita incomes; 15 per cent on the basis of their population aged 25 to 65 inclusive and their per capita incomes; and 10 per cent on the basis of the relative amounts received predicated on the foregoing formulas.

While Title VIII of the National Defense Education Act of 1958 would have been allowed to expire under the proposed Title V, Part A, of H.R. 3000, the proposed increase in federal funds was suggested to have been sufficient to expand the existing technical training program.

For the first time, assistance would have been made available to large metropolitan areas for vocational education programs addressed to the problems of the big cities. Five per cent of the federal appropriation would have been set aside for experimental and demonstration projects directed at problems of unemployed youth in large cities, and youth out of school or those in school who had academic and other handicaps that would have prevented them from succeeding in the regular vocational education programs. Provision for expanded adult training for upgrading those already on the job or needing to learn new skills was continued and expanded in Title V, Part A, H.R. 3000.

Finally, Title V, Part A, of H.R. 3000 would have provided that three per cent of the federal funds be used for such services as research, teacher training and special projects directed toward improving the quality of the vocational education program.

Commissioner Keppel completed his formal statement as follows:

> Mr. Chairman, I conclude by urging the General Subcommittee on Education to report favorably upon the vocational education provisions as set forth in Title V, Part A, of H.R. 3000 and identical bills.[47]

As the hearing progressed, members of the House General Subcommittee on Education repeatedly pointed out that vocational educational programs can and should build a supply of trained manpower. Subcommittee members questioned Commissioner Keppel regarding who should administer technical training programs--State Boards for Vocational Education or Regents of Higher Education. Representative John Brademas of Indiana elaborated by saying:

> I think it not inaccurate to say that there is strong bipartisan feeling on the part of some of us that technician education should be controlled by those institutions within the state that are in charge of higher education and not those in charge of vocational education.[48]

Commissioner Keppel responded that he agreed that there was a great need for college level technical training but that it was difficult to make a sharp definition about who should administer technical education programs.[49] Walter Arnold, Assistant Commissioner of Vocational and Technical Education, U. S. Office of Education, accompanied Commissioner Keppel and supplemented his statement as follows:

> However, you classify...these programs, higher education or whatever, you immediately run into administrative difficulties when aid is given to the state in any form to higher education institutions.[50]

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[47] Ibid., p. 83.

[48] Ibid., p. 155.

[49] Ibid., p. 156.

[50] Ibid., p. 158.

During the question and answer period, Representative Charles Goodell of New York took a jab at the Administration's omnibus education bill. He said:

> The omnibus bill was sent up to our committee as a great big balloon that suddenly began losing its air and it settled right down on top of us all and we have been flailing and struggling ever since to get the darn thing off from us enough so we can separate the few items in those 24 points that can get bipartisan rating as high priority, which we can get through this Congress.[51]

At the conclusion of Representative Goodell's remarks, Chairman Carl Perkins replied that he was pleased to hear that the vocational education bill was going to have bipartisan support. Representative Goodell reacted to Chairman Perkins statement by saying, "We have always had bipartisan support for the whole principle of vocational education."[52]

The House General Subcommittee on Education continued its interrogation of Commissioner Keppel by focusing on the role of vocational education in preparing skilled workers for employment opportunities. The key to developing an overall growth in the economy was suggested to be skilled workers and creation of new job opportunities.

During the interrogation of Commissioner Keppel, Representative Thomas P. Gill of Hawaii asked whether the country was getting its money's worth out of supporting home economics in part with federal funds. Walter Arnold, Assistant Commissioner, responded to Gill's question in part as follows:

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[51] Ibid., p. 159.

[52] Ibid., p. 159.

> Although home economics has not been designed to lead to employment as such, that is, a wage-earning employment, it has always been looked upon as a considerably important economic factor in the management of the household that it is, in a sense, a moneymaking venture though not in terms of wages paid.[53]

Representative George E. Brown of California, pointed out that federal assistance for home economics was the lowest for any vocational category. He remarked:

> If the original philosophy behind the federal funds of stimulating needed new programs is to be maintained it would appear that there is the least need for federal support in this particular program...This brings up a problem which is particularly felt by financial conservatives...is there ever a point when they (federal government) feel justified in withdrawing?[54]

Representative Brown further indicated that he felt the proposed vocational education bill would provide aid to education in general to the states and that "a general education bill which would leave to the states the maximum discretion, the total discretion, would be desirable." Such discretion, according to Brown, would give the states capability of tapping new resources for vocational education programs.

At the conclusion of Commissioner Keppel's testimony, Representative Carl Perkins advised Keppel that he might be called back before the House General Subcommittee on Education to clarify other issues which might arise during the hearings.

W. Willard Wirtz, Secretary, U. S. Department of Labor

W. Willard Wirtz, Secretary of the U. S. Department of Labor, was the second Administration witness to testify before the House General

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[53] Ibid., p. 185.

[54] Ibid., p. 186.

Subcommittee on Education on the proposed vocational education measure. Secretary Wirtz confined his formal statement to Title V, Part A, of H.R. 3000. He focused his remarks on the distressing unemployment problem in the United States, and he argued that there would be no future for the unskilled worker. Wirtz suggested that almost all new jobs now require some kind of skill.

Secretary Wirtz pointed out that the achievement of the country's potential economic growth would depend upon the work force being trained for job opportunities at all skill levels. He stated:

> A system of education and training which is responsive to the changing skill needs of the economy is essential both to help accelerate and sustain economic growth and to stop the human tragedy of unemployment.[55]

According to Secretary Wirtz, vocational education programs, along with other technological changes, are in a constant state of flux. The provisions embodied in Title V, Part A, of H.R. 3000 would provide flexibility in the states for updating and expanding the vocational education system. Moreover, flexibility in planning vocational education programs would assure that the vocational education system could meet the changing requirements for economic growth and constantly shifting occupational demands of modern technological developments.

Secretary Wirtz enthusiastically supported the provision in the proposed legislation which would provide federal assistance for construction of area vocational education facilities. Further, Wirtz remarked that programs initiated under the Area Redevelopment Act and Manpower Development and Training Act programs support the "urgent need for additional vocational education facilities, equipment, and personnel."[56]

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[55] Ibid., p. 191.

The Secretary of Labor urged adoption of H.R. 3000, Title V, Part A. Secretary Wirtz said:

> Recent data indicate that more than 300,000 people looking for jobs had less than an eighth grade education...The 1960 census disclosed the 8½ million Americans over 24 years of age had completed fewer than 5 years of schooling...The nation's labor force is expected to grow during the 1960's by about 12.6 million workers--half again greater than the increase in the decade of the 1950's...Some 26 million young people will enter the labor force between 1960 and 1970, a far greater number than the country has ever had to educate, train, and absorb into employment in any comparable length of time...One-third of the young people beginning work in the 1960's--7.5 million or more--may not have even completed high school.[57]

Secretary Wirtz concluded his formal statement by emphasizing that technology was driving unskilled workers out of jobs and that the buffer the country had at one time to employ unskilled workers was fast diminishing. Mr. Wirtz said:

> The vocational education program is today the essential part of an educational program for a great many of our younger workers as well as for those who lose their job and have to take other jobs during their work experience.[58]

Throughout his statement, Secretary Wirtz emphasized the relationship between education and economic growth. These, he said, are necessary to achieve a high level of employment.

Representative John Brademas of Indiana inquired how increased federal funds for vocational education could be justified in view of a prospective deficit in the federal budget. Secretary Wirtz responded that funds invested in vocational education would reduce the national deficit over a period of time.

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[56] Ibid., p. 192.

[57] Ibid., pp. 194-196.

[58] Ibid., p. 197.

Since Secretary Wirtz focused part of his testimony on creation of jobs for unemployed and underemployed, members of the Subcommittee questioned as to where new job opportunities would occur. To these queries, Wirtz responded, "The U. S. economy."[59] Throughout the dialogue between Secretary Wirtz and the House General Subcommittee on Education, the Secretary maintained the private sector could provide job opportunities if properly stimulated.

Although Secretary Wirtz confined his formal remarks to H.R. 3000, Title V, Part A, Representative Charles Goodell inquired whether the Secretary had additional comments with reference to H.R. 4955. Secretary Wirtz responded that while he was familiar with the provisions incorporated in H.R. 4955 he felt both bills were similiar in approach. Wirtz pointed out that he would support the idea of providing work opportunities and a loan program as outlined in H.R. 4955.[60]

Representative Goodell suggested that one key difference in the proposed bills on vocational education had to do with counseling and guidance services rendered by employment services personnel. He quoted the following portion of H.R. 3000 related to state plans for vocational education:

> Provides for consultation with and utilization of, the public employment services, including use of counseling guidance services and use of occupational information supplied by such services in determining whether there is a reasonable expectation of employment.[61]

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[59] Ibid., pp. 209-211.

[60] Ibid., pp. 214-215.

[61] Ibid., p. 215.

This language, Representative Goodell said, was eliminated in H.R. 4955. He continued by referring to complaints that local employment officials are frequently not qualified to provide counseling services for youngsters. Further, he said local employment service officials should be provided training to overcome their deficiencies.

Secretary Wirtz maintained his support of H.R. 3000. Wirtz stated, "We think it is a good idea to provide cooperation between the employment services offices and the vocational education facilities."[62] As the hearing continued, Chairman Carl Perkins remarked:

> There is no way in the world that we can get away from the fact that we must have cooperation here between the employment service counselors and the guidance instructors in the schools.[63]

Representative Goodell responded:

> I hope you are not going to just take all vocational guidance and counselors and put them in the Labor Department. I think they have a very good function where they are and should be independent of the Labor Department.[64]

Representative Goodell stated that he would like the Secretary of Labor use vocational guidance personnel to the maximum extent possible to develop similar capabilities of employment service personnel.

Secretary Wirtz maintained that the United States could sustain its competitive position in the world only through advanced technology. However, he opposed make-work projects of any form. According to Wirtz, the country should upgrade employment skills of people and stimulate the economy through a tax proposal.[65] Further, he contented that vocational education programs should be updated and responsive to shifting occupational demands in a changing technological society.

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[62] Ibid., p. 216.

[63] Ibid., p. 218.

[64] Ibid., p. 218.

Representative Peter Frelinghuysen of New Jersey remarked that he was curious about the jurisdiction of the U. S. Department of Labor with reference to Title V, Part A, H.R. 3000. He indicated the administration of vocational education was vested in the U. S. Department of Health, Education, and Welfare and implied that if the U. S. Department of Labor should have a major responsibility to update the vocational education, a jurisdictional dispute would most surely occur. Secretary Wirtz responded that the Department of Labor had no major responsibility for updating the vocational education program. He remarked:

> I think the center of gravity is completely with the vocational education program and in terms of the federal government with the Department of Health, Education, and Welfare.[66]

The hearing continued, and it was noted that the proposal for vocational education would authorize approximately a 50 per cent expansion of federal support while at the same time reducing categorical restrictions. According to Representative George Brown of California, "...we seem to be moving in the direction of a general program of aid to education." Brown suggested "...we may be moving toward some of the same problems which have historically confronted legislation proposing general aid to education..." Brown asked Secretary Wirtz if increased federal funds for vocational education with fewer categorical requirements would result in the federal government assuming a larger share of the burden or would the states increase their portion of the financial load for vocational education. Secretary Wirtz responded that the states were overmatching federal funds five to one and so far as he could tell a net increase of federal funds would not be offset by any reduction in state expenditures.[67]

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[65] Ibid., pp. 222-223.

[66] Ibid., pp. 226-227.

Secretary Wirtz testified that enactment of H.R. 3000 was vital to the economic and technological growth of the country. In addition, he held that unemployment and underemployment of thousands of people could only be rectified through skill training to prepare such persons for entry into the labor force. Secretary Wirtz suggested that H.R. 3000 would authorize a flexible vocational education system which could respond to a rapidly changing society through upgrading employed individuals for more sophisticated jobs.

William Batt, Area Redevelopment Administrator, U. S. Department of Commerce

On March 29, 1963, William L. Batt, Jr., Administrator, Area Redevelopment Administration, U. S. Department of Commerce, testified before the General Subcommittee on Education and Labor, House of Representatives. Batt appeared before the Subcommittee as an Administration witness. He focused his testimony on Title V, Part A, of H.R. 3000. Mr. Batt remarked:

> I am interested in vocational education, quite frankly, as a means to an end, as an enormously useful--although unexploited--tool to help combat unemployment.[68]

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[67] Ibid., pp. 228-229.

[68] Ibid., p. 348.

Later in his statement, Batt said:

> Education is the key to economic development. It is my firm conviction that one of the most significant tools in diminishing the distressing rate of unemployment in the United States is a broad program of assistance to education.[69]

According to Batt, "...there can be no better investment than providing a network of vocational training schools under state aegis, or under community aegis..."[70] He emphasized that vocational education has a special role in promoting economic development. Furthermore, vocational education programs should be expanded and "related to the needs of modern technology," he stated. Moreover, Batt said, "Industry and govenment have a vital stake in this endeavor."

According to Batt, provisions embodied in H.R. 3000, Title V, Part A, would provide for a flexible vocational education program which could contribute to increased adaptability of workers at all skill levels. Furthermore, he said that Section 502 of H.R. 3000 for constructing and equipping area vocational schools would assist immeasurably in providing training opportunities in redevelopment areas. Batt stated that the provision to provide five per cent of the funds appropriated any given year to be used by the U. S. Commissioner of Education to make grants for experimental purposes was highly desirable. Such grants, he said, could be awarded to state agencies, local education agencies or other public or non-profit agencies, to pay part of the cost of experimental projects designed to meet the special needs of youth, particularly youths living in economically depressed areas.[71]

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[69] Ibid., p. 348 .

[70] Ibid., p. 351.

[71] Ibid., pp. 355-356.

Wilbur Cohen, Assistant Secretary for Legislation, U. S. Department of Health, Education, and Welfare

On April 30, 1963, the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives, held its final hearing on H.R. 3000, Title V, Part A, and H.R. 4955. Wilbur Cohen, Assistant Secretary for Legislation, U. S. Department of Health, Education, and Welfare, addressed the Subcommittee relative to the proposed vocational education legislation. Cohen was accompanied by Walter M. Arnold, Assistant Commissioner, Division of Vocational and Technical Education, U. S. Office of Education; Samuel Halperin, Legislative Liaison, U. S. Office of Education; and Reginald Conley, Assistant General Counsel, Department of Health, Education, and Welfare.[72]

Cohen did not submit a written statement to the Subcommittee. He reported that the Department of Health, Education, and Welfare had reevaluated its position on vocational legislation in view of the testimony offered to the Subcommittee, and a series of discussions with representatives of the American Vocational Association. Suggestions presented to the House General Subcommittee on Education and discussions held with selected individuals interested in vocational education had shed new light on the proposed legislation, Cohen commented. He suggested that some general discussion on the proposed vocational education measure would be helpful to the Subcommittee. It was the opinion of the Administration, he said, that it was unfortunate that no really basic reevaluation of vocational education had been made for some 45 years. Although the Panel of Consultants on Vocational

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[72] Ibid., pp. 629-630.

Education was making a national review of vocational education in 1961 and 1962, Cohen stated that the U. S. Department of Health, Education, and Welfare was formulating its legislative proposals while the Panel was in the process of making its study. According to Cohen, the report of the Panel of Consultants on Vocational Education placed the Department of Health, Education, and Welfare in a position to move ahead. The Panel report, he said, was an important policymaking report. Cohen emphasized his support for a reorientation and reorganization of vocational education. He said:

> As far as the Department (of Health, Education, and Welfare) is concerned--and I can't make this too strongly-- a complete reorientation and reorganization of vocational education, in our opinion, is necessary in this country.[73]

Further, Cohen said:

> Whatever we do this time, I am hopeful that you will build into it some method for a periodic reevaluation of the program. I think that was one of the weaknesses of the original law.[74]

To overcome this weakness in existing laws, Cohen recommended that the proposed bill include authorization for an advisory council to be appointed each five years with a specific responsibility to review the vocational education program and "make a report to the Commissioner and the Secretary and the President and the Congress." The council would be in a position to recommend needed changes in legislation and program operation based upon its findings, Cohen suggested.

As for the permanence of the proposed vocational legislation, Cohen indicated that the Department of Health, Education, and Welfare would have no objection to making the legislation a permanent authorization if a requirement for periodic evaluation of the program was included in the legislation.[75]

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[73] Ibid., p. 631.

[74] Ibid., p. 631.

Cohen stressed that the proposed legislation should authorize an advisory committee to advise the U. S. Commissioner of Education concerning administration of the vocational education program. In response to a question as to whether he had come before the Subcommittee to urge that the Administration bill, H.R. 3000, be abandoned Cohen said:

> I came up here today with the idea prepared to suggest to the committee some modifications of the Administration bill that grew out of the constructive suggestions at the hearings.[76]

Cohen argued that the Smith-Hughes Act and George-Barden Act were restrictive with respect to expenditure of federal funds. "The objective in our bill," he said, "is to give the states more flexibility in administration of the program." He recommended moving away from occupational categories toward groups of people to be served as outlined in H.R. 3000. This, he said, would help to reorient the vocational education program and provide both federal and state administrators an opportunity to implement programs in new occupational areas based on groups of people to be served. Cohen strongly supported the concept of using advisory committees to relate business and industrial needs to vocational education offerings.[77]

With regard to the proposed vocational education bill including a special feature pertaining to the minorities, Cohen suggested that the federal agency responsible for administering vocational laws require the states to set forth policies and procedures in allocating federal funds to insure that due consideration would be given to the vocational education needs of all groups in all communities in a given state. As an example, Cohen noted that the Department of Health, Education, and Welfare had included in its regulations for administration of the Manpower Development and Training Act the following clause:

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[75] Ibid., p. 632.

[76] Ibid., pp. 634-635.

[77] Ibid., pp. 664-666.

> Training under the act shall be given without distinction because of race, creed, color, or national origin.[78]

Representative Bell of California inquired if an identical clause should be included in the vocational education bill. Cohen's response was in the form of a question--"Can you pass it in the House?" Representative Bell answered:

> The point is that if we are going to go through all the time and worry on this point of whether we are going to get it passed, we will never get the job done where it is needed...The intent is to solve a problem that is very definite.[79]

Cohen then reported that the Administration's rationale for including $73 million as an authorization to be appropriated for vocational education for fiscal year 1964 was as follows:

> Now, in our bill, what we did was keep the $7 million, you see, in Smith-Hughes, that was roughly in there, and then we enveloped the present $50 million to George-Barden--I am now just using rough figures, so that we don't get too mixed up--and we put $73 million in for 1964, and such sums as are necessary for the next five years. That thus appeared to be an increase of $23 million, but it was our thought that it was $46 million on a full year's basis.[80]

Cohen explained his reasoning as follows:

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[78] Ibid., pp. 667-671.

[79] Ibid., p. 671.

[80] Ibid., p. 671-672.

> When we came to planning our part of the program, it was our thought that with this whole new reorientation, there would have to be new regulations, a new meeting of an advisory group, and that if Congress were to pass this kind of a bill in July or August, or even June, July, or August, which now certainly could not be sooner, and I would think, that the supplemental appropriations probably would not come until September or October, and with a new regulation having to be issued and the meetings with the State Directors, you really could not get the new money out until January 1 or February 1.
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> Therefore, using about $46 or $50 million on an annual base, we only put in $23 million in the first fiscal year, on a half-year basis, so that we were planning on approximately $46 million or $50 million annual increase, rather than what appears at first blush to be only $23 million.[81]

Cohen noted that during the first year the only requirement incumbent upon the states was a maintenance of effort--that they keep spending at the same rate--since the first year would authorize 100 per cent federal unmatched funds.

The $23 million increase for fiscal year 1964 would be in reality an annual increase of $46 million, Cohen argued, particularly since the program probably would not be funded until approximately six months of the fiscal year had elapsed. It was his considered opinion that the new program should start out pretty carefully on new directions to effect a total reorientation of the vocational education program.

Cohen agreed there should be a progressive increase in the amount of federal funds for vocational education, but that the states should be required to continue matching federal funds in order that statewide coverage of programs would be assured.[82]

In response to a question by Representative Goodell as to why the

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[81] Ibid., p. 673.

[82] Ibid., p. 674.

Administration proposal had received a negative reaction by vocational educators, Cohen gave the following answer:

> One was the five-year duration of the program, and the other was the eventual elimination, after two years, of the George-Barden Act.[83]

Cohen continued:

> We wouldn't have any objection to a permanent authorization and the elimination of the five-year period by putting in some evaluation--both meet the objective we have, which was a reevaluation concept--not the termination of the program.[84]

Cohen suggested that if more federal funds were to be made available to the states, along with additional authority and flexibility, the states should be willing to accept the responsibility of implementing more comprehensive and flexible programs than were authorized under the George-Barden Act.[85]

Representative Perkins suggested that "we need to build on top of the existing program and expand vocational education and occupational guidance." He asked the following question:

> So don't you think, Mr. Cohen, that the eloquent statements that you have made about the flexibility, that we could do them on top of George-Barden and Smith-Hughes and still maintain the status of it?[86]

Cohen responded:

> It seems to me that freezing the allotments at the present George-Barden level, which is, in effect, what you do when you do that, seems to me to make it difficult to argue that the vocational education program is adapting itself to the

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[83] Ibid., p. 675.

[84] Ibid., p. 676.

[85] Ibid., p. 676.

[86] Ibid., p. 679.

> changing needs of our economy...it seems to me that the way we have tended to freeze those amounts in the past legislation has been part of our difficulty. That was why we came in originally with this five-year proposal, because then we said the Congress would be taking a fresh look at it...I think it makes it very difficult to argue you should have a whole new program of a vast new amount of money and continue to freeze the categories of George-Barden exactly where they are today.[87]

Cohen's entire discussion centered around the necessity to develop a vocational education program that would be flexible enough to meet the vocational education needs of all people in all communities in a changing society. Such training opportunities, he contended, should be available to all people regardless of race or ethnic origin. Cohen was the last departmental witness to appear before the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives.

It is interesting to note that each of the departmental witnesses supported Title V, of H.R. 3000, the Administration's proposal for vocational education legislation. Moreover, not one of the departmental witnesses spoke out strongly in favor of H.R. 4955, a vocational education bill which had been introduced by Representative Carl Perkins of Kentucky.

American Vocational Association Panel

On March 27, 1963, the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives, heard several vocational educators representing the American Vocational Association. Association representatives were:

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[87] Ibid., p. 679.

Milo J. Peterson, President, American Vocational Association
M. D. Mobley, Executive Secretary, American Vocational Association
William B. Logan, a member of the 1962 Panel of Consultants on Education
James L. Patton, Assistant Superintendent for Public Instruction, Kentucky
Burr D. Coe, Director, Middlesex County Vocational and Technical High School, New Jersey
C. W. Patrick, President, San Diego Junior College, California

The American Vocational Association witnesses testified in support of H.R. 4955 and not H.R. 3000. Milo Peterson, President of the American Vocational Association, was first to testify.

Vocational educators, he said, were dedicated to serving the 80 per cent of the students in elementary and secondary schools who would not complete a baccalaureate degree. He stated that vocational educators were deeply concerned with upgrading adults already employed but who needed training for continued gainful employment in a changing world of work.

Peterson maintained that the Smith-Hughes and George-Barden Acts should be preserved. He remarked:

> Existing vocational education acts are just as sound today as they were when enacted into law. They should not be disturbed. They have chartered the way for more equitable educational opportunity and created a framework and foundation for the future.[88]

Moreover, Peterson held that "technological advance and educational advance are partners in progress." He discussed the school dropout and unemployment problem of the country and suggested that a comprehensive program of education for the world of work was needed to undergird a massive and continuous effort to solve such problems.[89]

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[88] Ibid., p. 233.

[89] Ibid., p. 240.

Vocational educators, according to Peterson, understand and sympathize with those who seek expanded support for general and cultural education. He said diversity and flexibility must characterize vocational education programs in order that individual and economic needs may be taken into account.[90]

Peterson emphasized the role and importance of the State Boards for Vocational Education. He advanced the notion that State Boards for Vocational Education should continue to have full authority to administer state and federal funds for vocational education. Further, he stated that the vocational education program "requires specialists in identified fields in accordance with needs."

The only change Peterson suggested in H.R. 4955 had to do with Section 108 of Title I. He suggested adding the following:

> This authorization shall include funds whereby the Commissioner may contract with educational institutions for a national center or centers to provide the advanced leadership training, research development, and related services deemed essential for the successful fulfillment of the provisions of the National Vocational Education Acts.[91]

The American Vocational Association President concluded his formal testimony by urging the Congress to enact H.R. 4955, a bill designed to strengthen and improve the quality of vocational education throughout the nation.

During the interrogation period, Representative Peter Frelinghuysen of New Jersey asked the American Vocational Association witnesses to project a basic need for federal funds needed to modernize the vocational education system. M. D. Mobley responded that the dollar amounts included in H.R. 4955 appeared sound and realistic. Section 102 of H.R. 4955 included $73 million for the first year, $175 million for the second year, $250 million for the third year, $340 million for the fourth year and fifth years, and such sums as the Congress would deem necessary for future years. Mobley added:

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[90] Ibid., pp. 241-242.

[91] Ibid., p. 244.

> I think that sort of build up is very sound. It would insure use of the money on a conservative and effective basis. I know the Panel of Consultants recommended $400 million the first year. But I think my colleagues around the table would agree with me that stepping it up around $100 million a year would be more appropriate.[92]

Representative Albert Quie of Minnesota asked whether state and local communities would continue to overmatch federal funds for vocational education even though federal funds would be increased substantially by H.R. 4955. Witnesses for the American Vocational Association indicated their belief that state and local communities would continue to overmatch federal funds since "the states and local communities have always overmatched any federal funds made available."[93]

In regard to the question of coordination of the vocational education program with employment service offices, American Vocational Association witnesses testified they felt such coordination would be desirable. The requirement in H.R. 4955 to establish advisory committees was also deemed desirable by American Vocational Association witnesses.[94]

Representative John Brademas of Indiana indicated he was concerned that vocational education programs had not been able to provide job skills in more effective numbers and that he was alarmed that great numbers of young people were pouring into the labor force without any training to get a job. Further, he wondered why vocational educators had not been able to structure the vocational education program in such a fashion as to persuade young people to stay in school. To these remarks, one American Vocational Association panelist responded that "There aren't enough teachers and programs, and this means, of course, not enough money to support them." American Vocational Association witness, C. W. Patrick testified:

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[92] Ibid., p. 259.

[93] Ibid., p. 260.

[94] Ibid., p. 263.

> Vocational offerings in high schools require a great deal more expense. They have smaller classes and they require larger facilities and there have not been adequate funds to make up the difference in the costs between those facilities and the provision of a minimal educational program, an academic program.[95]

Members of the House General Subcommittee on Education questioned the American Vocational Association panel concerning the desirability of removing specific occupational categories for which federal funds could be spent. The panel was unanimous in its position that categorical assistance for federal funds should be continued. Indeed, the American Vocational Association House of Delegates in 1962 "took unanimous action to request that the existing categories be continued and that funds be added accordingly."[96]

Witnesses for the American Vocational Association maintained throughout the hearing that H.R. 4955 was preferred over H.R. 3000 since H.R. 4955 not only maintained the existing laws but authorized more federal funds than H.R. 3000. In regard to states and local communities matching funds for vocational education, M. D. Mobley remarked, "We would not be in favor of using federal money to replace state and local money."[97]

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[95] Ibid., pp. 268-269.

[96] Ibid., pp. 269-271.

American Vocational Association witnesses further testified that the relationship between the employment service and vocational education had been "very fine" as experienced through implementation of the Manpower Development and Training Act of 1962. Indeed, many local communities had developed cooperative working relationships between employment service and vocational education officials long before the Manpower and Development Training Act became law. Mobley elaborated:

> I notice in your bill, (H.R. 4955) you have provision for a state plan that would provide for consultation with the public employment services in determining reasonable prospects of placement of persons in occupations for which they are to be trained. We think this is a good provision in the law. We think it would be a mistake to make it mandatory that the employment service interview every student.[98]

American Vocational Association panelist, Burr Coe, indicated that the scope of purposes as defined in Section 104 of H.R. 4955 covered all phases of vocational education but was flexible enough to allow vocational educators "to meet changing needs in a dynamic industrial society." He also indicated the provision to build and equip area vocational education facilities would assist in alleviating a tremendous shortage of vocational education facilities. Coe maintained that the provision to permit State Boards for Vocational Education to determine how funds would be allotted was a key and desirable feature of the bill.

Coe stated in summary:

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[97] Ibid., pp. 272-273.

[98] Ibid., pp. 277-278.

> The funds authorized in H.R. 4955 when added to the earmarked funds in the present successful Smith-Hughes Act and Vocational Education Act of 1946, as amended, would give us the kind of continuous, consistent, flexible yet stable support which would enable our vocational education programs to best serve the youth, worker, and employers of our nation.[99]

To questions asked by members of the House General Subcommittee on Education concerning the adequacy of the vocational education system to accommodate demands made of the program, Coe responded that if vocational education facilities could be expanded, programs would open up to people who could not then be served. Further, Coe said:

> Keep in mind that vocational education programs are voluntary. They are not compulsory...We cannot force people to take advantage of the opportunities.[100]

Charles W. Patrick testifying for the American Vocational Association indicated that for nearly a half century "vocational education has been recognized as a matter of national support and concern." However, he said, the federal government had not kept pace with the growth of the program with the increased costs of vocational education. "This has placed a disproportionate cost on the states and communities where the program is administered," Patrick commented. According to Patrick, the most serious problem confronting vocational education was the lack of facilities for operating programs. Furthermore, he indicated that the need to provide occupational training for semi-skilled industrial jobs and service jobs for youth who would not complete high school confronted vocational education with another critical problem. The provisions for student employment and insured loans in H.R. 4955 "would materially increase enrollments in junior college vocational courses," said Patrick. Finally he testified:

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[99] Ibid., p. 285.

[100] Ibid., pp. 286-287.

> After a careful study of H.R. 4955, I am convinced that this is the kind of law which is needed. We should not disturb or replace, however, the existing laws on vocational education which served and continue to serve effectively.[101]

William B. Logan, represented the American Vocational Association and based his testimony on findings of the Panel of Consultants on Vocational Education. Logan had served as a member of the Panel called for by President Kennedy which had reviewed and reevaluated the National Vocational Education Acts with a view toward their modernization. Benjamin C. Willis, General Superintendent of Schools in Chicago, served as chairman of the 25 member Panel drawn from business, education, labor, industry, government, agriculture, and the lay public.

Logan testified that the Panel of Consultants on Vocational Education had "made a real effort to secure all pertinent information that was available." He summarized the Panel findings and indicated that the need for vocational education was acute. According to Logan, the Panel found:

> One out of every five boys between the ages of 16 and 19 who looks for work fails to find it, yet thousands of highly paid jobs are going begging...Twenty-six million young workers will be employed during the next decade... the most rapidly expanding occupations require the most education and training...By 1970, there will be 87 million Americans working full time. Of these 58 million are now working and will still be working but many will need additional training.[102]

Logan reported that the Panel of Consultants on Vocational Education found:

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[101] Ibid., pp. 296-330.

[102] Ibid., pp. 314-315.

> Nearly a million youths are out of school and out of work...There are four to six million people unemployed; at the same time there are four to six million job openings. The difference is skills.[103]

Logan indicated that the Panel believed that vocational education was doing a creditable job with available resources. The problem, the Panel found, was that vocational education programs were not available to all those who needed or desired such training. The Panel, said Logan, recognized that a growing and mobile population would place tremendous demands on the vocational education system which had limited funds.

The Panel of Consultants on Vocational Education made no recommendations for amending or changing existing vocational education laws. Logan stated:

> The point of the Panel was, you don't upset the existing laws, the Smith-Hughes, the George-Barden that are presently operating, that those funds can be used wisely and well, and that if you upset those you upset the mainstream in 50 states in the Union.[104]

Logan reported that the Panel of Consultants on Vocational Education suggested "legislation to provide assistance to an estimated 21 million non-college graduates who would enter the labor force in the 1960's." Training and retraining programs were needed to train millions of workers whose skills and technical knowledge must be updated, as well as those whose jobs would vanish due to automation.

Trained craftsmen and technicians were in short supply to fill job openings requiring highly skilled individuals. Continuing his report concerning selected findings of the Panel of Consultants on Vocational

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[103] Ibid., p. 315.

[104] Ibid., p. 316.

Education, Logan testified that vocational education programs must be expanded consistent with employment opportunities and economic needs of the country. The Panel reported that education and training opportunities should be made available to all persons regardless of race, sex, or place of residence.

The Panel of Consultants on Vocational Education recommended that $400 million be authorized for fiscal year 1964 for assistance in meeting training needs for the following:

1. Youth in high school
2. Youth and adults in area schools
3. Youth and adults who need training
4. Youth with academic, socioeconomic, or other handicaps
5. To provide qualified teachers, research, and materials necessary for a solid foundation for the program[105]

In closing, Logan stated that H.R. 4955 would come nearer meeting vocational education needs than Title V, Part A, of H.R. 3000. Further, he indicated that provisions included in H.R. 4955 were more closely related to the recommendations of the Panel of Consultants on Vocational Education than H.R. 3000.

Witnesses for the American Vocational Association maintained throughout their testimony that existing vocational education laws should not be disturbed. Mobley stated their position:

> We think it would be a serious mistake to replace or change the existing laws because the states are presently structured in these specialized fields and you must maintain specialists in these fields if you are to have quality vocational education.[106]

However, Mobley indicated it was the hope and unanimous opinion of vocational education leaders "that any new legislation would not earmark money for the several occupational fields." American Vocational Association witnesses unanimously agreed that funds authorized by H.R. 4955 should not be earmarked by occupational fields. This would give flexibility to the states and more latitude in meeting changing occupational training requirements, according to the American Vocational Association representatives.

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[105] Ibid., pp. 316-317.

[106] Ibid., p. 320.

James L. Patton was the last panel witness for the American Vocational Association. He summarized features of H.R. 4955 and indicated that the authority for State Boards for Vocational Education to continue to develop programs on an area basis was highly desirable. The provisions included in the bill for flexibility of planning by State Boards was felt particularly desirable, too. Further, vocational guidance programs would be strengthened under authority of H.R. 4955. Patton supported the provision in H.R. 4955 to construct and equip vocational education facilities. He also endorsed the work-study and student loan provision of the bill. Moreover, Patton spoke favorably about the authorization for long-range planning for programs, as well as research authority included in H.R. 4955. Finally, Patton said:

> The Perkins bill (H.R. 4955) enables us to build upon the foundation that we have already structured and it will not be necessary to tear down a foundation and rebuild it on the basis of the tremendous occupational needs that we are faced with in the nation.[107]

The American Vocational Association had presented its case. While many questions were raised throughout the testimony presented by the American Vocational Association panel, members of the House General Subcommittee on Education commented that they were hopeful a vocational education bill would be enacted in 1963.

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[107] Ibid., pp. 330-335.

In addition to the American Vocational Association panel, other witnesses later testified representing the Association. Their statements were consistent with the positions presented by the American Vocational Association panel on March 27, 1963.

Albert Jochen, National Association of State Directors of Vocational-Technical Education

On March 29, 1963, Albert J. Jochen, Assistant Commissioner and State Director of Vocational-Technical Education, New Jersey, appeared before the House General Subcommittee on Education. Jochen represented the National Association of State Directors of Vocational-Technical Education and the American Vocational Association. His statement was consistent with the previous witnesses for the American Vocational Association. Jochen urged enactment of H.R. 4955 in behalf of the National Association of State Directors of Vocational Education and the American Vocational Association. He said:

> Gentlemen, the passage of H.R. 4955 would be a major step in assisting and encouraging the several states of the Union to develop and provide the kind of vocational and technical education essential to our country's welfare.[108]

Edgar Fuller, Executive Secretary, Council of Chief State School Officers

On April 4, 1963, Edgar Fuller, Executive Secretary, Council of Chief State School Officers, testified before the House General Subcommittee on Education in support of H.R. 4955. The Chief State School Officers, Fuller said, did not want the Smith-Hughes and George-Barden Acts repealed. "After years of effort," he said, "programs begun in

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[108] Ibid., pp. 366-386.

1917 have been brought into substantial harmony with state school systems." Furthermore, the Council agreed with the Panel of Consultants on Vocational Education that the vocational education program should be expanded.

The Chief State School Officers, Fuller said, were concerned about the multiplicity and piecemeal efforts on the part of the federal government in the area of manpower development. Furthermore, Fuller stated:

> From the viewpoint of the states it is apparent that the newer laws have too many federal restrictions that apply unevenly among local areas having genuine needs. They leave too much discretion to federal officials...They create the necessity for further piecemeal federal legislation because of their restrictive provisions that deter state and local action.[109]

Fuller pointed out that the vocational education programs fell within the Council's policies favoring categorical federal-state financing. The Council, he said, preferred H.R. 4955 to H.R. 3000, Title V, Part A, since H.R. 4955 "leaves more responsibility to the state and local educational officials who have had nearly half a century of experience" in vocational education.

The Council opposed the provision in H.R. 3000 which authorized the U. S. Commissioner of Education to make grants to non-profit private agencies. Fuller argued that such grants would lie outside the State Plans for Vocational Education and would create conflicts and overlapping programs which would lessen the effectiveness of the vocational education program provided in the State Plan. He testified that "the policies of the Council do not favor grants of local, state, or federal tax funds for use in other than publicly controlled and tax-supported educational institutions." Section 4 (c) of H.R. 3000 authorized excessive federal responsibility for "experimental, developmental, or pilot" vocational educational programs, according to Fuller.[110]

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[109] Ibid., pp. 423-426.

The Council of Chief State School Officers favored H.R. 4955 over H.R. 3000. Fuller said:

> It is apparent that there should be an expansion and improvement of vocational and technical education in high schools and in post-high school opportunities for persons of all ages who are training or retraining for a job rather than a college degree in mind.[111]

At the completion of Fuller's testimony, Representative Hugh L. Carey of New York commented:

> I have the feeling...that you are properly, rigidly vigilant in preventing any unwarranted federal interference or control in the conduct of state programs. I think that is very sound...In no other area possibly have we the history of good federal-state cooperation at the elementary and secondary level as we have in the Smith-Hughes Act and the George-Barden Act.[112]

Fuller maintained his position against federal control of education. He said:

> The Chief State School Officers are opposed to the administration of programs in education directly from the federal government to the local educational agency or school.[113]

In response to a question concerning federal aid to religious institutions, Fuller replied that such action "would be constitutionally objectionable in most states." He urged positive action on H.R. 4955 and indicated that the states must have assistance in expanding the vocational education program since state debt levels had increased five times that of the federal government.[114]

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[110] Ibid., p. 428.

[111] Ibid., pp. 429-430.

[112] Ibid., p. 431.

[113] Ibid., p. 435.

William Truitt, Assistant Director, Division of Legislative Services, National Farmers Union

On April 10, 1963, William Truitt, Assistant Director, Division of Legislative Services, National Farmers Union, testified before the House General Subcommittee on Education. While outlining provisions of the bill, Truitt indicated that two features of the proposed legislation were particularly desirable from the Farmers Union viewpoint. One was the provision for long-range planning for vocational education programs and the other was the provision to keep the Smith-Hughes and George-Barden Acts intact.

The Farmers Union, said Truitt, supports H.R. 4955, and "hopes that this committee will report it out favorably and that it becomes a public law."[115]

Otis Finley, Associate Director, National Urban League

On April 22, 1963, Otis Finley, Associate Director, National Urban League, testified before the House General Subcommittee on Education. He said:

> For 18 3/4 million American Negroes already handicapped by reason of employment discrimination and inadequate training,

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[114] Ibid., p. 442.

[115] Ibid., pp. 471-476.

> and now caught up in the quicksand of rapid technological change, the problem is immediate and desperate.[116]

Finley maintained that vocational education opportunities should be equally available to all citizens. He further said that the vocational education program should be sufficiently broad enough to meet existing and future manpower needs. Finley indicated that experience had shown that in many states where discrimination and employment were serious, vocational education opportunities had been denied young Negroes "because the schools and the community have not seen a need for this particular segment of the manpower pool." He expressed concern about the provisions for allotments to the states which were included in the proposed vocational education legislation.

Finley suggested that "the present needs of vocational education require massive financial support." He argued that the alternative to providing young people with the best education and training would be increased "welfare costs, higher crime rates, and human demoralization." He said:

> It is, therefore, the Urban League's considered judgment and experience that federal support to the needs of American education would represent significant progress for all citizens and renewed strength and vitality for the nation.[117]

In addition, Finley said:

> The educational benefits derived from the use of public funds must be equally available without respect to race, creed, or color.[118]

Representative Thomas Gill of Hawaii asked Finley if his concern about the provisions for state allotments was because a "large part of the money might go to states which had a need but also used the segregated system in their schools." Finley responded:

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[116] Ibid., p. 529.

[117] Ibid., p. 533.

[118] Ibid., p. 533.

> That plus the fact that historically many of the states which have had segregated school systems have placed a separate valuation on the vocational needs of white youngsters as against Negro youth...I say that when we make the requirement basis of need, let us base it on the total projection of our manpower requirements, without respect to race.[119]

Finley urged the federal government not to reinforce employers who were employing white youths more readily than Negro youths. The federal government, he said, "should not be a part and parcel to this."

Paul Cooke, National Vice-Chairman, American Veterans Committee

On April 23, 1963, Paul Cooke, National Vice-Chairman, American Veterans Committee, testified before the House General Subcommittee on Education. Unlike most of the public witnesses, Cooke testified in support of H.R. 3000 instead of H.R. 4955. He stated that the American Veterans Committee had consistently supported the use of federal funds for the improvement of the American educational system. In addition, he said that the Committee supported in general "the provisions in H.R. 3000 and the specific Title V, Part A, for vocational education."[120]

Cooke stated that the American Veterans Committee was strongly opposed to the use of federal funds for any purpose whatsoever if use of funds was conditioned on race or religion. "In effect then," he said, "we support what has often been referred to as the Powell amendment."[121]

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[119] Ibid., pp. 533-534.

[120] Ibid., p. 535.

[121] Ibid., p. 536.

The American Veterans Committee, however, endorsed the provisions embodied in H.R. 3000, Title V, Part A, for construction, research, and the new authority to train those "persons who have academic, socio-economic, or other handicaps that prevent them from succeeding in the regular vocational education programs."[122]

Upon completion of the formal statement by Cooke, Representative Ralph J. Scott of North Carolina inquired if the Powell amendment might jeopardize the proposed vocational legislation. Cooke responded that the amendment could raise a problem but the American Veterans Committee was "concerned with the rights of all children as a very important thing in this democracy."[123]

Cooke also encouraged research designed to develop a better understanding and more favorable attitude by the public concerning vocational education. He indicated he did not believe the American public knew what opportunities vocational schools offered. Moreover, Cooke commented that there had not been enough encouragement on the part of school officials to get young people to enroll in vocational education programs. Representative Scott stated he was inclined to agree that school principals had not supported the vocational program as much as they should.[124]

Andrew Biemiller, Director, Department of Legislation, AFL-CIO

Andrew Biemiller, Director, Department of Legislation, American Federation of Labor and Congress of Industrial Organizations testified before the House General Subcommittee on Education, on April 24, 1963. He was accompanied by Larry Rogin, Director of the Department of Education, AFL-CIO, and Otto Pragan, Assistant Director of Education of the Department of Education, AFL-CIO. Biemiller started his statement by indicating that the AFL-CIO was "sincerely interested in the improvement of the vocational education system." Further, Biemiller said:

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[122] Ibid., pp. 536-537.

[123] Ibid., pp. 544-545.

[124] Ibid., pp. 545-546.

> The labor movement has a long history of support for vocational education. Back in 1917 Samuel Gompers personally participated in the drafting of the Smith-Hughes Act.[125]

"AFL-CIO affiliated unions," Biemiller said, "have actually promoted vocational education, particularly apprenticeship training." Moreover, he reported that AFL-CIO conventions had "called in several resolutions for a general review and expansion of our present vocational system."[126] According to Biemiller:

> Present laws do not allow the flexibility needed in planning up-to-date vocational programs that would train both young and adult workers for occupations that are now and will be in demand in the changing labor market.[127]

Biemiller indicated that existing vocational education laws were no longer adequate to meet vocational education needs. He suggested that Title V, Part A, of H.R. 3000 would greatly assist in preparing both young and adult workers for occupations required by a rapidly changing economy.

Biemiller said:

> The AFL-CIO endorses Title V, Part A of the proposed National Education Improvement Act of 1963.[128]

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[125] Ibid., p. 573.

[126] Ibid., p. 573.

[127] Ibid., p. 575.

[128] Ibid., p. 575.

According to Biemiller, the AFL-CIO would support the following four proposals in H.R. 3000, Title V, Part A:

> 1. ...Vocational education would be extended to more people in more fields of work...Since the new provision would replace all present legislation, except the Smith-Hughes Vocational Education Act of 1917, federal funds would not be limited to specified categories of occupations. This flexibility would more efficiently match people to the changing content of occupations in a changing technology...
>
> 2. ...Vocational education and training would be built around people and their occupational needs in today's labor market...
>
> 3. ...The new and broader basis for allotting funds to the states. The new bases takes into consideration both the population of the various age groups needing vocational education as well as the per capita income of the state...
>
> 4. ...The fourth important change provides for federal support for area vocational programs. Training would be available in all occupations and would not be limited as now to the training of technicians in occupations important solely to the national defense.[129]

Having expressed full support by AFL-CIO for the four proposals enumerated previously, Biemiller stated that the AFL-CIO had reservations about certain provisions in H.R. 3000, Title V, Part A. According to Biemiller, the amount of money in H.R. 3000, Title V, Part A, was completely inadequate. The AFL-CIO, he said, urged "at least $150 million for the first year and be expanded each year until it reaches $400 million in the fifth year." Further, he recommended that Title V, Part A, be amended to provide a continuing authorization for appropriations and not limited to the five-year period provided for in the bill. Moreover, the five per cent set-aside of funds for use for experimental programs directed at slow learners and youth with special needs was unduly restrictive, according to Biemiller. He maintained that research was also needed which related to adequate standards of training programs, quality control of the curriculum, and new teaching techniques and use of equipment and materials. Biemiller urged that Title V, Part A, "provide a specific amount to be used by the states for developing experimental and pilot programs in every aspect of vocational education."[130]

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[129] Ibid., pp. 575-576.

In regard to State Advisory Councils, Biemiller urged that H.R. 3000, Title V, Part A, be amended to require that State Plans for Vocational Education create a State Advisory Council. Such a Council, he said, should represent "employers, labor, agriculture, education, and the public, except where the functional groups are represented on the State Boards of Vocational Education." Furthermore, Biemiller urged that the proposed legislation should "clearly spell out the responsibilities of the advisory councils." In addition, the AFL-CIO also urged that H.R. 3000, Title V, Part A, provide for a National Advisory Council on Vocational Education to be established to review operations of the vocational education program and to advise the U.S. Commissioner of Education.[131] Further, Biemiller expressed objection to the language in Section 5(a)(4) of H.R. 3000, Title V, Part A, providing in a general way that a state should determine "a reasonable expectation of employment in the occupations for which persons are trained." He maintained the measure as written would not "relate training effectively to the occupations in demand in the labor market."[132] Congress, pleaded Biemiller, should be more specific in its intentions so that state and local vocational educators might make use of information regarding job opportunities. Such information, he said, should include employment "opportunities, skill requirements, occupational outlook, labor supply in the various fields and employment trends."

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[130] Ibid., pp. 577-578.

[131] Ibid., p. 578.

Biemiller stated that the AFL-CIO would oppose the amendment to the Smith-Hughes Act which would permit a state to transfer vocational education to the jurisdiction of the state agency in charge of general education. Such a provision, said Biemiller, would result in weakening the vocational program in the states. Furthermore, he said, it might also impair the cooperation with labor, industry, and agriculture which was vital to vocational education. Finally, Biemiller remarked that vocational education was an "effective factor in support of the adequate growth of our economy."[133]

Upon completion of Biemiller's statement, Representative Albert Quie of Minnesota reminded Biemiller that the House General Subcommittee on Education had recently "reported out a bill providing for a new program called the 'Youth Employment Act,' which is based on the experience of the old CCC days..." The Youth Employment bill, said Representative Quie, would authorize $100 million the first year. Subsequently, Representative Quie asked Biemiller which of the programs he would give priority. Biemiller responded, "We say both are necessary and desirable and they are not counter programs." Furthermore, he said, the problem of "moving youth from the cities is an entirely different kind of problem than vocational training."[134]

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[132] Ibid., p. 578.

[133] Ibid., pp. 578-579.

In regard to the difficulty of Negro people finding jobs, Biemiller remarked:

> President Meany testified last year both in terms of passing an equal opportunities bill and in favor of passing a specific bill to prevent discrimination in apprenticeship programs.[135]

Representative Thomas Gill of Hawaii noted that, in some sectors, vocational education had been looked on as inferior to general education. Larry Rogin responded "one of our basic tasks is to focus on the kind of attention on job training, that it stands up in stature and reputation with every aspect of the school system..."[136] Vocational education, AFL-CIO witnesses said, should build on a good general education. Many adults, according to Biemiller, must get additional general education before they can go on to better jobs.

Clarence Mitchell, Washington Bureau, NAACP

On April 26, 1963, Clarence Mitchell, Director, Washington Bureau, National Association for the Advancement of Colored People, testified before the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives. Mitchell noted that the country was confronted with discrimination and racial inequality.

He said:

I think you are at a place where you can strike a mighty

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[134] Ibid., p. 591.

[135] Ibid., p. 594.

[136] Ibid., p. 597.

> blow for equality of opportunity in training, which opportunity does not now exist.[137]

Mitchell commented that a report by the Civil Rights Commission on vocational training and apprenticeship documented a "wide difference between the types of training offered at so-called Negro vocational schools and the training offered at schools predominately white." He observed that white children were encouraged to enroll in vocational programs vital to existing job openings. On the other hand, Mitchell claimed that even in those school systems that were "supposedly desegregated, the colored children are still jammed into such things as shoe repairing, dry cleaning, and auto mechanics." Moreover, Mitchell, reported that the Civil Rights Commission had pointed out that "most of the apprentice training programs in the construction industry are in carpentry, electrical work, plumbing, pipefitting and steamfitting." Furthermore, said Mitchell, "There are also extensive training programs in printing trades, machine operation, and metal trades." "These," he said, "are precisely the areas where there is the greater amount of racial discrimination in employment."[138]

Mitchell stated that he had heard Andrew Biemiller, AFL-CIO, testify before the House General Subcommittee on Education two days earlier. According to Mitchell, the discrimination problem was greater than the AFL-CIO even with their expressed good will. He continued with his statement and maintained that the federal government must provide help with abolishing discrimination and racial inequality in in training programs. To assist in overcoming these problems,

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[137] Ibid., p. 603.

[138] Ibid., p. 605.

Mitchell suggested:

> 1. ...passage of a fair employment practice law...
>
> 2. ...a strict requirement in all types of assistance or grants-in-aid for vocational training or apprentice training that all qualified persons must be admitted without regard to race...
>
> 3. ...a requirement that no labor organization would be certified for collective bargaining if it discriminates against members or applicants for membership on the basis of race.[139]

Moreover, Mitchell observed that too much stress had been placed on limiting job competition and too little emphasis had been placed on giving every youth an opportunity for employment. Furthermore, he said, "The philosophy of survival by promoting scarcity of craftsmen has had a deadly effect on white citizens of the United States." Mitchell maintained that the U. S. Department of Health, Education, and Welfare and the U. S. Department of Labor had accepted "the philosophy of survival by promoting scarcity of craftsmen." Both of these Departments, plus the public schools, insist upon the "chances for securing employment in the occupation after training has been secured or the need for training in the occupation where one is already employed," said Mitchell. He suggested:

> A more healthy approach would be to base training programs on the nations's total needs. This would mean that even though a given community might not need persons of a particular skill, persons who had the ability to acquire and make use of that skill could be trained locally.[140]

Mitchell further suggested that all the federal training programs should be coordinated and administered with fairness.

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[139] Ibid., p. 605.

[140] Ibid., p. 606.

He said:

> One must be an educator who is color blind, but also blessed with the foresight to see that our country will fare best when opportunities for training are freed from the present selfish restrictions placed on them.[141]

Representative Charles Goodell of New York asked Mitchell if he would recommend a special provision in the vocational bill to bar discrimination on the basis of race. Mitchell responded:

> In my opinion Congress has the power to require that there be no discrimination, by putting that in the actual law. The executive branch has the authority to interpret the Constitution as requiring that there be no discrimination...either of these could be used to halt discrimination.[142]

Mitchell said:

> Unless Congress says something and does something in the law, the executive branch is usually too timid to do anything and will not do anything.[143]

Throughout his testimony, Mitchell maintained that vocational education opportunities should be available to all people regardless of race. He maintained that both the Congress and the Executive Branch of Government shared in the responsibility of providing education and training opportunities without reference to race or ethic origin.[144]

Among others, the following selected national organizations filed written statements on the proposed vocational education legislation with the House General Subcommittee on Education. The American Personnel and Guidance Association filed a statement in support of H.R. 4955. Interestingly, the American Personnel and Guidance Association statement included positions similar to the testimony given by the American Vocational Association.

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[141] Ibid., p. 607.

[142] Ibid., p. 612.

[143] Ibid., p. 612.

[144] Ibid., pp. 612-626.

In addition, the National Education Assocation filed a statement with the House General Subcommittee on Education in support of expanded vocational education legislation. The statement submitted by the National Education Association said:

> We believe that vocational education is an essential, integral part of the total educational picture and should be retained in the comprehensive bill.

The National Education Association urged that the George-Barden Act be retained and that the decision as to how to expend funds should be vested with the State Boards for Vocational Education. The National Education Association went on record opposing "federal intervention, either direct or indirect."

Finally, the Chamber of Commerce of the United States filed a statement with the House General Subcommittee on Education which suggested that the proposals in H.R. 3000, Title V, Part A, were preferable to provisions in H.R. 4955. The Chamber urged the Congress to defer action on H.R. 4955 until the total vocational education program could be assessed, including private and military training programs, "thus giving clearer definition to the purposes which public education should shoulder in this field." Concurrently, the Chamber suggested "the effectiveness of the many other federal programs should be reviewed and assessed before such massive programming as that envisioned in H.R. 4955 is further considered."

The General Subcommittee on Education of the Committee on Education and Labor, House of Representatives, held twelve days of hearings and enmassed a total of 700 pages of testimony on H.R. 3000, Title V, Part A, and H.R. 4955. It was time for the committee to assess testimony received and prepare a bill for consideration by the House of Representatives.

Hearings Held on S. 580, S. 8, S. Resolution 10 and Other Education Bills by the Senate Subcommittee on Education

President John F. Kennedy had submitted a proposed bill to strengthen and improve educational opportunities in the nation on January 29, 1963. His proposed bill was entitled the "National Education Improvement Act of 1963" and was assigned the numbers S. 580 in the Senate and H.R. 3000 in the House of Representatives. Although the proposed bill included 24 separate provisions, this study was concerned with Title V, Part A, of S. 580, to expand and improve vocational education.

While selected Senators lauded the Administration's omnibus approach to education legislation, others accused the Administration of attempting to cure all educational problems with S. 580. Senator Pat McNamara of Michigan said:

> The thought seems to be that if a shotgun approach is used, the chances are improved that a few of the targets will be hit...Frankly, I feel we should use a rifle rather than a shotgun, and zero in on one target at a time.[145]

On April 29, 1963, the Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate, commenced hearings on S. 580 and other education bills.[146] The Senate leadership kept

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[145] U.S. Congress. Senate. Committee on Labor and Public Welfare. Education Legislation--1963. Hearings Before the Subcommittee on Education, United States Senate, on S. 8, S. 580, S. Res. 10, and Other Education Bills, 88th Congress, 1st Session, 1963, pp. 205-206.

[146] Ibid., p. 1.

S. 580 intact for hearing purposes, although the House of Representatives had earlier dismantled H.R. 3000 to hold hearings on Title V, Part A. The Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate, accumulated 4,429 pages of testimony on S. 580.[147]

Anthony Celebrezze, Secretary, U. S. Department of Health, Education, and Welfare

Anthony J. Celebrezze, Secretary of the U. S. Department of Health, Education, and Welfare was among the first few witnesses to testify before the Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate. He was accompanied by Wilbur Cohen, Assistant Secretary for Legislation, Department of Health, Education, and Welfare, and Francis Keppel, United States Commissioner of Education. Secretary Celebrezze appeared as an Administration witness and testified in support of S. 580. He suggested that S. 580 was vital if the federal government's responsibilities to American education were to be met. Lack of adequate education and education opportunities, he said, "lie at the root of our inability to meet urgent needs for skilled and highly trained manpower." The dearth of skilled and technical manpower "are major barriers to social and economic progress," according to Celebrezze.[148]

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[147] See Appendix B for Members of the Committee on Labor and Public Welfare and the Subcommittee on Education.

[148] U. S. Congress. Senate. Committee on Labor and Public Welfare. Education Legislation--1963. Hearings Before the Subcommittee on Education, United States Senate, on S. 8, S. 580, S. Res. 10, and Other Education Bills, 88th Congress, 1st Session, 1963, pp. 211-212.

According to Secretary Celebrezze, education should be considered an investment in human capital. Education, he said, "is a primary factor in economic growth." While S. 580 presented a comprehensive approach for federal aid to education, Celebrezze testified that the proposed legislation would not seek to preempt state and community control of education. "Rather," he said, "it would enable the states and local communities to carry out their own responsibilities for education." Federal support for education, according to Celebrezze, should stimulate state and local action. He said the proposed National Education Improvement Act of 1963, S. 580, would greatly assist and improve the quality of education and expand educational opportunities. Celebrezze said:

> The federal government cannot and should not attempt to solve all education's many complex problems. It cannot and should not take over responsibility for education. But the federal government can and should step forward to shoulder those responsibilities which lie clearly within the scope of its constitutional limitations and which it is already carrying to a lesser degree.[149]

According to Secretary Celebrezze, expanded and improved opportunities for vocational education as embodied in Title V, Part A of S. 580, were vital to the country. Vocational education Secretary Celebrezze said:

> Must serve the training and retraining needs of millions of workers whose skills and knowledge need updating or whose jobs disappear in the wake of automation and economic change...It must be capable of constant expansion and revision to reflect changing employment possibilities and national economic needs.[150]

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[149] Ibid., p. 215.

[150] Ibid., p. 220.

Finally, Celebrezze recommended favorable action on S. 580.

Subsequent to Secretary Celebrezze's testimony, Senator Wayne Morse, Chairman of the Senate Subcommittee on Education, inserted several statements into the record. Among the statements filed was a statement by Senator Harrison A. Williams, Jr., of New Jersey. Senator Williams discussed federal control of education along with other topics. He said, "Federal assistance for education has brought more benefits to more people with more freedom than any other spending effort could have done." Further, he said:

> American education is more free with federal aid than it was without it, and obviously American education is much healthier and more productive with federal aid than would ever have been possible without it.[151]

W. Willard Wirtz, Secretary, U. S. Department of Labor

On April 30, 1963, W. Willard Wirtz, Secretary, U. S. Department of Labor, testified before the Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate. Secretary Wirtz was an Administration witness and he testified in support of S. 580. According to Wirtz, S. 580 reflected the "realization that full employment in this country depends on full education." He suggested that the relationship between education and earning a living was very real. Secretary Wirtz maintained that, if the educational system was not strengthened, the manpower situation would deteriorate in two major ways. First, was the concentration of unemployment among skilled workers. Second, was the imminent shortage of skilled, technical semi-professional, and professional personnel.

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[151] Ibid., pp. 242-243.

According to Secretary Wirtz, unemployment among the unskilled was due largely to automation. "Machines," he said, "are taking over the unskilled jobs." With regard to job dislocation and unemployment, Secretary Wirtz had this to say:

> It is becoming increasingly apparent that inadequate training and education contribute to unemployment and dislocation. We can no longer depend on the haphazard methods used in the past to prepare our labor force.[152]

Title V, Part A, of S. 580 would assist in modernizing and expanding the vocational education program, testified Wirtz. He said:

> Passage of Title V, Part A, would be a significant step in closing the gap between industry's need for training and the nation's present capacity for training...this bill will give individuals an opportunity to increase their employability and to build a good foundation of basic skill and knowledge.[153]

Finally, Secretary Wirtz testified that the growth of our nation's economy and our educational system had gone hand in hand. "Neither," he said, "would have been possible without the other."

The testimony given by Secretary Wirtz before the Senate Subcommittee on Education was almost identical to the testimony he had given before the House General Subcommittee on Education a few weeks earlier.

Orville Freeman, Secretary, U. S. Department of Agriculture

On May 1, 1963, Senator Wayne Morse, Chairman of the Subcommittee on Education of the Committee on Labor and Public Welfare filed a statement in the record by Orville L. Freeman, Secretary, U. S.

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[152] Ibid., p. 321.

[153] Ibid., pp. 324-325.

Department of Agriculture. Secretary Freeman was an Administration witness and he supported S. 580. He suggested that Title V, Part A, of S. 580 would greatly assist in the "training of farmers, and the training of rural youth for nonfarm occupations." Enactment of S. 580 into law would provide opportunities and encouragement for the broad education that rural youth need, according to Secretary Freeman. He asked that the "special needs of the people of rural areas be considered." Finally, Secretary Freeman urged favorable action on S. 580.[154]

Francis Keppel, U. S. Commissioner of Education

Francis Keppel, U. S. Commissioner of Education, and Peter Muirhead, Assistant Commissioner and Director of the Office of Program and Legislative Planning, U. S. Office of Education, Department of Health, Education, and Welfare were the only witnesses to testify before the Senate Subcommittee on Education on June 25, 1963.

Just seven days earlier, President John F. Kennedy had submitted to the Congress his Message on Civil Rights and Job Opportunities. He called for an expanded vocational and technical education program and a full-scale attack on adult illiteracy.[155] Keppel said:

> In light of the President's June 19 Message on Civil Rights and Job Opportunities, I would like to give special attention to the impact of the proposed educational program upon our No. 1 domestic problem--equal rights and equal opportunities for all our citizens...the exceedingly high rates of Negro unemployment--more than twice that of white workers--cannot be substantially reduced until Negro educational opportunities are massively expanded and Negro manpower skills are drastically upgraded to meet modern technological requirements.

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[154] Ibid., pp. 391-397.

[155] See Appendix E for a Summary of New Provisions in the Administration's Vocational Education Proposal.

He continued:

> ...we are hopeful that the Congress will give special attention to the Administration's January 29 proposals and last week's amendments, which proposed to (1) modernize and expand the nation's vocational education programs, and (2) launch a federal-state cooperative venture to eliminate the scourge of adult illiteracy.

The "new draft proposals submitted to the Congress last week would supplement the vocational education programs proposed earlier in S. 580," said the Commissioner of Education.[156]

The Administration's amendment on vocational education was in the nature of a substitute for Title V, Part A, of S.580,[157] and differed from S. 580 in the following major respects:[158]

a. It continued the George-Barden Act and made permanent the practical nurse training and area vocational education programs, but would have made important amendments to these three laws as well as to the Smith-Hughes Act. S. 580 would have replaced the first three laws and left the Smith-Hughes Act virtually intact.

b. It would require that the new program (like existing programs) be administered at the state level by State Boards of Education or of Vocational Education. S. 580 would have permitted state administration by a state educational agency headed by a single officer.

c. It would have made the program permanent (S. 580 was limited to five years) and substantially increased the authorizations for appropriations. For example, the amendment authorized for appropriations $108 million for fiscal 1964, $153 million for fiscal 1965, $197 million for fiscal 1966, and $243 million for fiscal 1967 and each subsequent year for grants to states for vocational education and construction of area vocational education schools. These amounts were in addition to the amounts authorized in existing laws. S. 580 would have authorized $73 million for fiscal year 1964 for this purpose, but this sum would have included the $50 million already authorized under the George-Barden Act.

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[156] U. S. Congress. Senate. Committee on Labor and Public Welfare. Education Legislation--1963. Hearings Before the Subcommittee on Education, United States Senate, on S. 8, S. 580, S. Res. 10, and Other Education Bills, 88th Congress, 1st Session, 1963, pp. 2351-2352.

[157] See Appendix F for a Text of the Administration's Proposed Amendment in the Nature of a Substitute for Title V, Part A, of S. 580.

[158] U. S. Congress. Senate. Committee on Labor and Public Welfare. Education Legislation--1963. Hearings Before the Subcommittee on Education, United States Senate, on S. 8, S. 580, S. Res. 10, and Other Education Bills, 88th Congress, 1st Session, 1963, p. 2458.

d. It would have put increased emphasis on broadening vocational education opportunities for youths 15 to 20 years old who had completed or left their formal high school education and who needed full-time vocational training to equip them for gainful employment, and on vocational training needs of communities having substantial numbers of such youths who had dropped out of school or were unemployed.

e. It would have provided federal aid for the construction and operation of several experimental, residential vocational education schools to be located in or near large urban areas which had substantial numbers of school dropouts or unemployed youths.

f. It would have authorized federal grants to states to establish work-study programs for youths aged 15 to 20 who needed work assistance to enable them to commence or continue vocational training on a full-time basis.

g. It would have provided for an ad hoc Advisory Council to make a comprehensive review of all vocational education laws every five years, as well as a standing advisory committee.

Commissioner Keppel testified that funds earmarked for post-secondary education and construction of area vocational schools would be increased from 25 per cent as included in Title V, Part A, of S. 580, to 40 per cent in the Administration's substitute proposal. In addition, Keppel said, funds for grants by the U. S. Commissioner of Education for special projects to meet the needs of communities with substantial unemployment and school dropouts (as well as to meet the needs of youth with academic, socioeconomic or other handicaps to learning) would have been increased from the five per cent level included in Title V, Part A, of S. 580, to 15 per cent of the vocational education appropriations under the Administration's substitute proposal.

Keppel testified that while the Administration's substitute proposal (amendments to Title V, Part A, of S. 580) represented a substantial increase in the national investment in vocational education, they were "small in terms of the goals to be achieved and the cost to us all if we do not achieve them." Finally, Keppel testified that he hoped that the Subcommittee on Education would agree with the President's proposed amendment to expand vocational education, and he urged favorable action on S. 580.[159]

Joseph Clark, Senator from Pennsylvania

Senator Joseph S. Clark of Pennsylvania testified before the Senate Subcommittee on Education on June 25, 1963. He supported the testimony presented by Secretary Celebrezze earlier that day:

> Unless we have better trained manpower, including technicians whom the Secretary says we must train in a vocational educational program, obviously the whole health program of our country is going to suffer a decline.[160]

"There is a need," Senator Clark said, "to upgrade and retrain hundreds of thousands of Americans so that they can get and keep jobs." Preparing skilled workers and technicians for the world of work, according to Senator Clark, would have a direct bearing on the economic growth of the country.

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[159] Ibid., pp. 2348-2545.

[160] Ibid., p. 259.

Barry Goldwater, Senator from Arizona

On April 30, 1963, the Senate Subcommittee on Education heard testimony from Senator Barry Goldwater of Arizona. Senator Goldwater opposed S. 580 on the basis that the Administration bill was "both unnecessary and unsound." Such legislation, he suggested, would reduce state and local governments to "subordinate, administrative divisions of the Central Government in Washington." Senator Goldwater emphasized that he did not believe the country had an education problem which necessitated any form of federal grant-in-aid program to the states.[161]

Clifford Case, Senator from New Jersey

Senator Clifford P. Case of New Jersey testified before the Senate Subcommittee on Education on April 30, 1963. Senator Case spoke of the need for seed money for higher education, and the need for skilled and technical workers. Automation and technological progress, he said were making a terrific impact on the employment situation in the country. Those without adequate skills to compete in an automated society would be "among the job left-outs," according to Senator Case. Finally, he recommended a program of grants to the states to train "college level technicians" through the public community colleges.[162]

J. W. Fulbright, Senator from Arkansas

On May 14, 1963, Senator J. W. Fulbright of Arkansas filed a statement with the Senate Subcommittee on Education. "Education," said

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[161] Ibid., p. 286.

[162] Ibid., pp. 307-310.

Senator Fulbright, "is absolutely essential to keep a democracy alive." He said:

> A good educational system is fundamental to equipping our citizens with the capacity to think through the great issues which they must ultimately decide under our system.[163]

According to Senator Fulbright, education should prepare young people "to accept full responsibilities--not merely a technical skill that will quality them for a job that will be outmoded tomorrow."

With respect to issues related to enacting education legislation, Senator Fulbright said integration, aid to parochial schools, and federal control had been the major blocks to general federal aid to education in the House of Representatives. "It is high time," he said, "for the Congress to be realistic about federal aid to education."

Finally, Senator Fulbright stated:

> As long as the Congress takes a piecemeal approach to federal aid it is refusing to be honest with itself--and in the process fails to enact the only workable solution to the problem--a general federal aid program which allows the states to determine how the funds are to be used.[164]

Mason Gross, Association of State Universities and Land-Grant Colleges and the State Universities Association

On April 30, 1963, Mason W. Gross, President of Rutgers University, testified before the Senate Subcommittee on Education. Gross represented the Association of State Universities and Land-Grant Colleges and the State Universities Association. His specific testimony was devoted in large part to support of Titles I and II of S. 580. To support his thesis, Gross referred to a phamplet entitled, "Recommendations on Desirable National Action Affecting Higher Education," which was published by the Association of State Universities and Land-Grant Colleges and the State Universities Association in January, 1963. It stated in part:

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[163] Ibid., pp. 576-577.

[164] Ibid., pp. 581-582.

> Every study of the needs of the United States in the area of scientific and technical personnel has indicated that one of our most serious shortages is in the area of those qualified to act as semi-professional technical assistants to highly educated professional personnel...During the 87th Congress legislation was introduced and hearings held on proposals to initiate a modest program of federal aid to institutions of higher education for the conduct of technical education at the semi-professional level. We emphasize the need for and endorse such legislation in principle.[165]

Robert Wyatt, President-Elect, National Education Association

On April 30, 1963, Robert H. Wyatt, President-Elect, National Education Association, testified in support of S. 580 before the Senate Subcommittee on Education. "The National Education Association," Wyatt said, "believes firmly that the comprehensiveness of S. 580 is its strongest feature..." With regard to Title V, Part A, the National Education Association urged that the George-Barden Act be retained as permanent legislation. However, Wyatt testified that the proposed $23 million increase for vocational education would be inadequate to implement a broadened program as envisaged in Title V, Part A, of S. 580. As for administration of funds, the National Education Association President-Elect testified that the State Boards for Vocational Education should have the authority to decide how funds would be expended and not the federal government.[166]

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[165] Ibid., pp. 583-594.

[166] Ibid., pp. 605-609.

Willis Dugan, President, American Personnel and Guidance Association

Willis Dugan, President, American Personnel and Guidance Association, also testified in support of S. 580 before the Senate Subcommittee on Education. He said, "We have neglected to deal specifically with problems related to needed vocational education of our youth." The American Personnel and Guidance Association "strongly supports programs of expanded vocational and technical education," said Dugan. He said:

> We are simply not giving this 80 per cent of our students the adequate attention they should receive in the schools.[167]

Finally, Dugan urged the Congress to make adequate provisions for guidance and counseling of prevocational and vocational education students. Senate Bill S. 580 was a "significant and overdue step" in the right direction, testified Dugan.

Logan Wilson, President, American Council on Education

On May 15, 1963, the Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate, heard Logan Wilson, President, American Council on Education. Although Wilson did not direct his remarks specifically to Title V, Part A, of S. 580, he did urge the Congress to take favorable action on the proposed legislation. "With wise and effective federal assistance," he said, "higher education can be maintained as an important national resource for generations to come." The testimony given by Wilson before the Senate Subcommittee on Education was similar to the statement he had given on H.R. 3000 before the House General Subcommittee on Education a few weeks earlier.

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[167] Ibid., pp. 650-655.

Donald Deyo, President, American Association of Junior Colleges

Donald E. Deyo, President, American Association of Junior Colleges testified before the Senate Subcommittee on Education following Wilson. Deyo spoke specifically to Title II, Part C, of S. 580 relating to college level technical education programs. Deyo stated that the colleges he represented were "deeply concerned with and involved in the education of semi-professional technicians." According to Deyo, the junior college system could provide opportunities for training critically needed semi-professional technicians if adequate federal funds were made available.

Title II, Part C of S. 580 would greatly assist to improve and expand the quality and quantity of training semi-professional technicians, according to Deyo. Although the American Association of Junior Colleges endorsed the concept of Title II, Part C of S. 580, Deyo suggested the following provision be included in the proposed legislation:

> We recommend that each state be called on to establish a college-level technician education coordinating committee. The committee's responsibility would be to receive and approve institutional proposals under Title II, Part C, prior to transmittal to the U. S. Commissioner of Education.[168]

Such a provision, Deyo said would pinpoint "total technician needs and effect a coordinated approach toward their fulfillment." According to Deyo, provisions embodied in Title II, Part C of S. 580 were "both timely and essential."

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[168] Ibid., pp. 1066-1071.

Edgar Fuller, Executive Secretary, Council of Chief State School Officers

Among other witnesses who appeared before the Senate Subcommittee on Education on May 27, 1963, was Edgar Fuller, Executive Secretary, Council of Chief State School Officers. "The Council," said Fuller, "favors federal aid for public education with its specific purposes defined by the states rather than categorically by the federal government." With respect to Title V, Part A, of S. 580, the Council supported certain provisions and opposed others. Fuller said the Council:

> ...favors the expansion of vocational and technical education, especially for post-high school graduates, dropouts, and other adults. It favors larger federal funds and larger programs that proposed by Part A, and opposes the repeal of the George-Barden Act. It also opposes Section 4(c) of Part A, which would allow federal funds to be allocated to private groups at the discretion of the Commissioner and which would authorize allocations that for the first time in this field would violate the principle of separation of church and state in education. The principles favored by the Council are more adequately incorporated in H.R. 4955 of 1963.[169]

Finally, Fuller testified that the vocational and technical education program should be expanded to provide opportunities for people of all ages who were training or retraining for a job rather than pursuing a college degree.

Andrew Biemiller, Director, Department of Legislation, AFL-CIO

Andrew Biemiller, Legislative Director, American Federation of Labor and Congress of Industrial Organizations was the first witness to testify before the Senate Subcommittee on Education on May 28, 1963. Biemiller noted that while the AFL-CIO found itself in general agreement with S. 580, a few suggestions were in order with regard to

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[169] Ibid., pp. 1299-1306.

Title V, Part A, of the Administration's proposed bill. The proposed legislation, he said, should provide a continuing authorization rather than limited to a five-year period. Biemiller also suggested that the provision to allow the states to reorient their programs over a two-year period should be shortened to one year. The urgency to train people "in new occupations is too great to permit the luxury of a two-year lag," said Biemiller.

The AFL-CIO further recommended that the proposed legislation require the U. S. Office of Education to evaluate training programs and to develop experimental and pilot programs in the field of vocational education. Furthermore, the AFL-CIO suggested that the proposed legislation "spell out the role of general educational as well as special training" for slow learners. While the Administration bill would have given the U. S. Commissioner of Education the responsibility of determining what occupations were considered to be professional, the AFL-CIO stated that such authority would be "too great a responsibility upon the Commissioner." The definition of "professional" would be better spelled out in the law than left to administrative determination, according to the AFL-CIO. Moreover, the AFL-CIO suggested that training of youth and adults who were unemployed be related to employment opportunities. Biemiller recommended that the provision for State Advisory Councils specify representation from "such groups as employers, labor, agriculture, professional educators and the public." Similar committees should also be established locally, Biemiller testified. Finally, the AFL-CIO recommended that a National Advisory Council on Vocational Education be established to advise the U. S. Commissioner of Education concerning the operation of the vocational education program.[170]

William Truitt, Assistant Director, Legislative Services, National Farmers Union

On June 11, 1963, William Truitt, Assistant Director of Legislative Services, National Farmers Union, testified before the Senate Subcommittee on Education. He commended the Administration for submitting "such a comprehensive piece of legislation as S. 580." Truitt's testimony was centered on Title V, Part A, of S. 580. The Farmers Union maintained that the existing vocational education acts were as sound in 1963 as when originally enacted and recommended that the existing laws not be disturbed. The Farmers Union suggested that the Senate Subcommittee on Education seriously consider H.R. 4955 as an alternative to Title V, Part A, of S. 580.

Truitt asked that H.R. 4955, as amended on June 3, 1963, by the General Subcommittee on Education, House of Representatives, be entered into the record of the Subcommittee on Education, United States Senate. It was so ordered by Senator Ralph Yarborough of Texas. Finally, Truitt urged the Senate Subcommittee on Education to favorably consider H.R. 4955, the Vocational Education Act of 1963, in lieu of Title V, Part A, of S. 580.[171]

American Vocational Association Panel

On June 11, 1963, seven members of the American Vocational Association (AVA) testified before the Senate Subcommittee on Education.

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[170] Ibid., pp. 1395-1399.

[171] Ibid., pp. 1895-1916.

M. D. Mobley, Executive Secretary, American Vocational Association, headed the delegation of witnesses. The American Vocational Association was opposed to repealing the George-Barden Act. However, Association witnesses testified that they would not be opposed to "certain minor amendments to the George-Barden Act nor to the Smith-Hughes Act." Although Association representatives indicated they were in "general agreement" with Title V, Part A, of S. 580, witnesses testified that the Administration proposal was too limited in funds to meet the demands which would likely be placed on the vocational education programs. Further, AVA representatives did not like the five-year limitation embodied in the Administration's proposed legislation for vocational education. Authority for such a program should be on a continuing basis and not limited to five years, American Vocational Association witnesses testified. To support the position of the American Vocational Association, representatives of the Association submitted a proposed bill as a substitute for Title V, Part A, of S. 580.[172]

Essentially, the proposed American Vocational Association bill would have provided a continuing authorization for appropriations. For making grants to states, the proposed bill authorized for appropriations for the fiscal year ending June 30, 1964, $108 million; ending June 30, 1965, $153 million; ending June 30, 1966, $198 million; and ending June 30, 1967 and each fiscal year thereafter, $243 million. Allotments to the states would have been based on 95 per cent of the sums appropriated for the purposes of making grants to the states on a formula basis determined by the number of persons aged five to 19 inclusive, and aged 25 to 65 inclusive and per capita income in the respective states.

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[172] Ibid., pp. 2076-2083.

The American Vocational Association proposed bill provided that a state allotment could be used for any or all of the following purposes:

1. Persons attending high school
2. Persons who had completed high school or left full-time school and who were available for full-time study to prepare for employment
3. Persons who had already entered the labor market and who required training or retraining to achieve job stability or advancement in employment (exclusive of those persons already enrolled in programs sponsored by the Manpower Development and Training Act, Area Redevelopment Act, or the Trade Expansion Act)
4. Persons who may have academic, socioeconomic, or other handicaps that would prevent them from succeeding in the regular vocational education program
5. Construction or area vocational education school facilities
6. Ancillary services and activities to assure quality in all vocational education programs, such as teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional materials, and State administration and leadership.

The American Vocational Association proposed substitute bill provided that at least 25 per cent of each state's allotment could be used for purposes set forth in paragraphs two and five indentified above, or both. At least three per cent of each state's allotment could be used for only the purposes set forth in paragraph six identified above, except that the U. S. Commissioner of Education could, upon request of a state, permit the state to use a smaller percentage of its allotment for any year if the Commissioner determined that a smaller percentage would adequately meet such purposes in such state.

The proposed American Vocational Association measure would have provided that five per cent of the sums appropriated for making grants to the states for each fiscal year would be reserved for use by the U. S. Commissioner of Education to make grants to State Boards, or with the approval of the appropriate State Board, to local education agencies or institutions, to pay part of the cost of research, experimental, developmental, or pilot programs designed to meet the special vocational education needs of youths, particularly youths in economically depressed communities, who may have academic, socioeconomic, or other handicaps that would have prevented them from succeeding in the regular vocational education program.

Any state desiring to receive its allotments of federal funds under provisions of the American Vocational Association measure would have been required to submit a State Plan through its State Board to the U. S. Commissioner of Education which would have:

1. Designated the State Board as the sole agency for administration of the State Plan, or for supervision of the administration thereof by local educational agencies; and providing that the State Board shall include persons familiar with the vocational education needs of management and labor in the State, a person or persons representative of junior colleges, technical institutes, or other institutions of higher education which provide programs of technical or vocational training; and providing for the designation or creation of a State Advisory Council to consult with the State Board in carrying out the State Plan

2. Set forth policies and procedures to be followed by the State Plan in allocating each such allotment among the various uses set forth in paragraphs (1) through (6) identified above; Insure that due consideration be given to results of periodic evaluations of State and local programs and services in the light of information regarding current and projected manpower needs and job opportunities for all groups in all communities of the state, and that federal funds would be used to supplement state and local funds but in no case would federal

funds be used to supplant state and local funds used for vocational education

3. Provided minimum qualifications for teachers, teacher trainers, supervisors, directors, and others having responsibilities under the State Plan

4. Provided for entering into cooperative arrangements with the system of public employment offices in the State, approved by the State Board and by the state head of such system

5. Set forth procedures for fiscal control and fund accounting

6. Provided that all laborers and mechanics employed by contractors or subcontractors on all construction projects be paid wages and rates not less than those prevailing, as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended; and receive overtime compensation in accordance with and subject to the provisions of the Contract Work Hours Standards Act, as amended

7. Provided for making such reports and keeping such records as the U. S. Commissioner of Education may reasonably require and find necessary

Further, the proposed measure provided that the U. S. Commissioner of Education approve State Plans meeting the seven requirements identified above and that the Commissioner could not finally disapprove a State Plan except after reasonable notice and opportunity for a hearing by the State Board submitting such Plan.

Payment of federal funds to the states under the proposed American Vocational Association bill would be contingent upon:

A. Any amount paid to a state from its allotment under the provisions of allotments to the states for the fiscal year ending June 30, 1964, would be paid on condition that there shall be expended for such year...an amount in state or local funds, or both, which would at least equal the amount expended for vocational education during the fiscal year ending June 30, 1963, under the State Plan approved under the Vocational Education Act of 1946 and supplementary Vocational Education Acts.

B. Subject to the limitations that at least 25 per cent of each state's allotment could be used for (1) persons who had completed high school or left the full-time school and who were available for full-time study in preparation for entering the labor market, and (2) construction of area vocational education schools facilities, or both; and that at least three per cent of each state's allotment be used for ancillary services to assure quality of vocational education programs...that portion of the state's allotment for the fiscal year ending June 30, 1965, and for each succeeding year, allocated under the approved State Plan for each of the purposes for which federal funds could be used, except construction monies, shall be available for paying one-half of the state's expenditures under such Plan for such year for such purposes.

C. The portion of a state's allotment for any fiscal year allocated under the approved State Plan shall be available for paying not to exceed one-half of the cost of construction of each area vocational education school facility project.

D. Payments of federal funds allotted to a state which has an approved State Plan shall be made by the U. S. Commissioner in advance on the basis of estimates, in such installments, and at such times, as may be reasonably required for expenditures by the states of the funds so allotted.

In addition, the American Vocational Association proposed bill would have authorized the U. S. Commissioner of Education to contract with one or more institutions of higher education for the establishment of a national center or centers to provide for advanced vocational educational leadership training. Such centers could engage in research and development, and related vocational education services as deemed appropriate for the successful fulfillment of the federal acts relating to vocational education. The proposed bill included no specific amount of federal funds for the creation of such centers, but authorized to be appropriated such amounts as might be necessary for their creation and operation.

To advise the U. S. Commissioner of Education in the preparation of general regulations and with respect to policy matters concerning the vocational education program, the American Vocational Association proposed bill would have authorized the establishment of an Advisory Committee on Vocational Education in the U. S. Office of Education. Such Advisory Committee to be composed of the U. S. Commissioner of Education, who would serve as Chairman, and one representative each of the Departments of Commerce, Agriculture, and Labor, and twelve members appointed for staggered terms. Such twelve members, to the extent possible, shall include persons familiar with the vocational education needs of management and labor (in equal numbers), persons familiar with the administration of state and local vocational education programs, other persons with special knowledge, experience, or qualification with respect to vocational education, and persons representative of the general public, and not more than six of such members shall be professional educators. The Advisory Committee was authorized to meet at the call of the Chairman but not less often than twice a year.

Moreover, the American Vocational Association proposed bill would have authorized amendments to the George-Barden Act of 1946 and the Smith-Hughes Act of 1917. Notwithstanding anything to the contrary in Titles I, II, and III of the George-Barden Act, or in the Smith-Hughes Act, or in supplementary vocational education acts, the proposed legislative measure included the following provisions:

1. Any portion of any amount allotted (or apportioned) to any state for any purpose under such titles, Act, or Acts, for the fiscal year ending June 30, 1964, or any fiscal year thereafter, could be transferred to and combined with one or more of the other allotments (or apportionments) of such states for such fiscal year under such titles, Act, or Acts, or under this part

> and used for the purposes for which, and subject to the conditions under which, such other allotment (or apportionment) may be used, if the State Board determines such funds are not needed for the purposes for which the original allotment (or apportionment) was intended and requests, in accordance with regulations of the U. S. Commissioner of Education, that such portion be transferred and shows to the satisfaction of the Commissioner that transfer of such portion in the manner requested will promote the purpose of this title.
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> 2. Any amounts allotted (or apportioned) under such titles, Act, or Acts for agriculture may be used for vocational education in any occupation involving knowledge and skills in agricultural subjects, whether or not such occupation involves work of the farm or of the farm home, and such education for nonfarm agricultural occupations may be provided without directed or supervised practice on a farm.
>
> 3. Any amounts allotted (or apportioned) under such titles, Act, or Acts for home economics may be used for vocational education to fit individuals for gainful employment in any occupation involving knowledge and skills in home economics subjects.
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> 4. Any amounts allotted (or apportioned) under such titles, Act, or Acts for distributive occupations may be used for vocational education for any person over fourteen years of age who has entered upon or is preparing to enter upon such an occupation, and such education need not be provided in part-time or evening schools.
>
> 5. Any amounts allotted (or apportioned) under such titles, Act, or Acts for trade and industrial occupations may be used for preemployment schools and classes organized to fit for gainful employment in such occupations persons over fourteen years of age who are in school, and operated for less than nine months per year and less than thirty hours per week and without the requirement that a minimum of 50 percentum of the time be given to practical work on a useful or productive basis, if such preemployment schools and classes are for single-skilled or semiskilled occupations which do not require training or work of such duration or nature; and less than one-third of any amounts so alloted (or apportioned) need be applied to part-time schools or classes for workers who have entered upon employment.

The American Vocational Association proposed bill would have extended the Practical Nurse Training and Area Vocational Education

Program on a continuing basis by removing the eight year and five year restrictions on authorizations for appropriations for each program respectively.

In addition, the American Vocational Association proposed bill would have authorized the Secretary of the U. S. Department of Health, Education, and Welfare to appoint an Advisory Council on Vocational Education during 1966 to review the administration and status of vocational education programs authorized under federal vocational education acts, and to make recommendations with respect to such programs and the Acts under which funds were appropriated. Such Council was to be appointed by the Secretary of the Department of Health, Education, and Welfare and to consist of twelve persons familiar with vocational education objectives and needs of management and labor (in equal numbers), persons familiar with administration of state and local programs, and other persons with special education, and persons representative of the general public. The Council would have been required to make a report of its findings and recommendations to the Secretary of Health, Education, and Welfare not later than January 1, 1968, after which time the Council would cease to exist. The Secretary would have been required to transmit the Council report to the President and to the Congress. For purposes of carrying out its responsibilities, the Council would have been provided secretarial, clerical, and such other assistance as would be required to carry out its functions and duties. The Secretary would be required from time to time thereafter (but at intervals of not more than five years) to appoint an Advisory Council on Vocational Education with the same duties and functions as described above. Members of the Council who were not full-time employees of the United States Government were to be compensated at the rate of $75 per day while serving on the council.

For the purposes of conducting vocational education programs authorized under provisions of the proposed American Vocational Association bill, the term "vocational education" was defined as follows:

> Vocational education means vocational or technical training or retraining which is given in schools or classes (including field or laboratory work incidental thereto) under public supervision and control or under contract with a State Board or local educational agency, and is conducted as part of a program designed to fit individuals for gainful employment as skilled workers or technicians in recognized occupations (including any program designed to fit individuals for gainful employment in business and office occupations, and any program designed to fit individuals for gainful employment which may be assisted by federal funds under the Vocational Education Act of 1946 and supplementary Vocational Education Acts, but excluding any program to fit individuals for employment in occupations which the Commissioner determines, and specifies in regulations, to be generally considered professional or as requiring a baccalaureate or higher degree.) Such term includes vocational guidance and counseling in connection with such training, the training in vocational education of teachers, teacher trainers, supervisors, and directors for such training, travel of students and vocational education personnel, and the acquisition and maintenance and repair of instructional supplies, teaching aids and equipment, but does not include the construction or initial equipment of buildings or the acquisition or rental of land.

The American Vocational Association proposed bill defined the term "area vocational education school" as follows:

> The term "area vocational education school" means (A) (a) a specialized high school used exclusively or principally for the provision of vocational education to persons who are available for full-time study in preparation for entering the labor market, or (b) a technical or vocational school used exclusively or principally for the provisions of vocational education to persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market, or (c) the the vocational department or division of a junior college or

> community college or university providing vocational-technical education under the supervision of the State Board and leading to immediate employment and not leading to a baccalaureate degree; and (B) any such school described in (A) (a), (b), (c) of this paragraph which is available to all residents of the state or an area of the state designated and approved by the State Board.

Finally, the American Vocational Association proposed bill defined the "State Board" as that Board created pursuant to Section 5 of the Smith-Hughes Act of 1917. The term "school facilities" was defined as meaning classrooms and related facilities (including initial equipment) and interests in land on which such facilities were constructed. Such term did not include any facility intended primarily for events for which admission was to be charged to the general public. The term "local educational agency" was defined as meaning a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, country, township, school district, political subdivision in a state, or any other public educational institution or agency having administrative control and direction of a vocational education program. The term "high school" was defined as not including any grade beyond grade twelve.

Without exception, witnesses for the American Vocational Associa- urged the Senate Subcommittee on Education to accept the Association's proposed bill on vocational education in lieu of Title V, Part A, of S. 580.

On June 25, 1963, numerous statements were filed with the Senate Subcommittee on Education relative to the Administration's proposed National Education Improvement Act of 1963, S. 580. Among the statements filed, was the 1962 report of the President's Science Advisory

Committee which was entitled Meeting Manpower Needs in Science and Technology. The Committee's Panel on Educational Research and Development conducted an analysis on the role of technicians to improve manpower utilization. The Panel stated:

> The Panel recognizes that today's research and development teams include not only a variety of professional disciplines but also a broad spectrum of levels of training that extends from doctoral and post-doctoral on the one hand to technicians with training substantially beyond high school on the other...
>
> ...Without an adequate supply of technicians, employers frequently use Bachelor level personnel on semiprofessional tasks at less than their full potential. Thus, an increase in production of technicians would not only foster the improved utilization of engineers and scientists to help meet immediate technical manpower requirements, but would also upgrade the entire manpower resource to meet needs over the long run. Equally important, increased access to technician training would tend to alleviate some of the problems of technological unemployment, which are especially pronounced in that sector of our population lacking in special skills or training...
>
> ...Consequently, the Panel believes that the problem of educating qualified technicians in sufficient number is critical enough to warrant federal attention and federal legislation especially to assist and otherwise stimulate the growth of educational facilities...[173]

Among the various written statements which were filed with the Senate Subcommittee on Education, June 27, 1963, was "A Statement of Some Desirable Policies, Programs, and Administrative Relationships in Education" by the National Council of Chief State School Officers. With regard to federal responsibility, the statement said:[174]

> a. Federal funds should be made available to the states to supplement state and local funds to the extent necessary to enable each state to finance an adequate foundation program of education after reasonable local and state efforts have been made.

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[173] Ibid., p. 3422.

[174] Ibid., pp. 3916-3917.

b. The federal government should provide financial assistance and consultative services to the several states to assist them in the planning and construction of plant facilities for tax-supported publicly controlled schools.

c. The federal government should assist the states in financing state, interstate, and regional projects and programs of education.

d. The federal government should provide financial support for the education of children who reside on federal property exempt from local taxation.

Finally, a summary of the report, *Education for a Changing World of Work*, prepared by the President's Panel of Consultants on Vocational Education was filed with the Senate Subcommittee. The Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate, accumulated 4,429 pages of testimony during the course of seventeen days of hearings. It was time for the committee to prepare a bill based upon its findings during the hearings for further consideration and action.

The Committee on Education and Labor, House of Representatives, Reports H.R. 4955 Out of Committee and Recommends that the Bill, as Amended, do Pass

During the time the Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate, was holding hearing on S. 580, and related bills, the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives, was working in executive sessions to mark up H.R. 4955. The bill was examined in detail in twelve executive sessions by the House General Subcommittee on Education and three executive sessions by the House Committee on Education and Labor. During the House executive committee sessions, three major provisions were added to H.R. 4955 as originally introduced by Representative Perkins.

> First, three per cent of the total authorization was earmarked for ancillary services and activities to assure quality in all vocational education programs, such as in-service teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional materials and state administration and leadership, including periodic evaluation of state and local vocational education programs and services in light of information regarding current and projected manpower needs and job opportunities. (The committee added the underlined portion of the previous statement to insure periodic evaluation of state and local programs. This clause was not included in the original bill, H.R. 4955, as introduced by Mr. Perkins, or in Title V, Part A, of the Administration's bill on vocational education.)

Concomitantly, the House committee bill would require the submission of State Plans to include:

> Policies and procedures insure that due consideration will be given to the results of periodic evaluation of state and local vocational education programs and services in light of information regarding current and projected manpower needs and job opportunities, and to the relative vocational education needs of all groups in all communities in the state...

To insure realistic evaluation of the program by qualified persons, the House committee bill included a provision for State Plans as follows:

> If such State Board does not include as members persons familiar with the vocational education needs of management and labor in the state, and a person or persons representative of junior colleges, technical institutes, or other institutions of higher education which provide programs of technical or vocational training meeting the definition of vocational education...provides for the designation or creation of a state advisory council which shall include such persons, to consult with the State Board in carrying out the state plan. (This provision was included in H.R. 3000, Title V, Part A, but not in H.R. 4955 as originally introduced in the House.)

Moreover, the House Committee bill required that State Plans provide "for entering into cooperative arrangements with the system of public employment offices in the State..." H.R. 4955 as originally introduced as well as Title V, Part A, of H.R. 3000 called only for consultation.

> Second, the Committee adopted a provision for establishing an Advisory Committee on Vocational Education to advise the U.S. Commissioner of Education on policy matters related to the legislation as well as general regulations for administration of the program. The Advisory Committee would be composed of representatives from the Departments of Commerce, Agriculture, and Labor, and twelve members familiar with the administration of State and local vocational education programs, other persons with special knowledge, experience, or qualifications with respect to vocational education, and persons repesentative of the general public, and not more than six of such members shall be professional educators. The Advisory Committee would be required to meet at least twice a year and would be chaired by the U. S. Commissioner of Education.

The Advisory Committee on Vocational Education was entitled to receive compensation "not exceeding $75 per day, including travel time and while so serving away from their home or regular places of business..."

> Third, to insure a periodic review of vocational education programs and laws, the Committee included a provision in the bill to establish an Advisory Council on Vocational Education for the purpose of reviewing the administration of the vocational education programs...and making recommendations with respect to such programs. The Council to be composed of 12 persons familiar with vocational education needs of management and labor (in equal numbers), administration of state and local vocational education programs, persons with special knowledge, experience, or qualifications with respect to vocational education and persons representative of the general public.

The House Committee bill provided that the Secretary of the U. S. Department of Health, Education, and Welfare would, during 1966, appoint an Advisory Council on Vocational Education and that such Council would make a report of its findings and recommendations not later than January 1, 1968, after which time the Council would cease to exist. The Secretary would then transmit such report to the President and to the Congress. Moreover, the Secretary would be obliged to appoint subsequent Advisory Councils at intervals of not more than five years for the same functions and duties as described above.

While in executive session, the House Committee on Education and Labor made substantial changes in H.R. 4955 regarding authorizations to be appropriated. The following table reflects those changes:

TABLE I

AUTHORIZATIONS FOR APPROPRIATIONS IN H.R. 4955 AS AMENDED BY THE COMMITTEE ON EDUCATION AND LABOR (IN MILLIONS)

Fiscal Years	H.R. 3000 (Title V, Part A)	H.R. 4955 (as originally introduced)	H.R. 4955 (as amended in Committee)
Fiscal Year 1964	$23	$ 73	$ 45
Fiscal Year 1965	Unspecified	175	90
Fiscal Year 1966	Unspecified	250	135
Fiscal Year 1977	Unspecified	340	180
Fiscal Year 1968+	Unspecified	As necessary	180

H.R. 4955 as originally introduced by Representative Perkins had only required that states not spend less than in fiscal year 1963. The House Committee on Education and Labor amended the bill to require that the states match federal funds after fiscal year 1964 on a 50-50 basis. In addition, the allotment formula was altered to provide allotments to states purely on the basis of age groups with no equalization factor based on the per capita income of the state. This was a change in both H.R. 4955 and the Administration bill as originally introduced since both bills had included per capita income as a factor in determining allotments to states.

Selected members of the House Committee on Education and Labor argued that the use of funds for the old categories as provided for in the Smith-Hughes and George-Barden Acts was unduly restrictive and pressed for transfer of funds from one occupational category to another upon the request of the State Board for Vocational Education and approval of the U. S. Commissioner of Education. The transfer provision was accepted by the House Committee on Education and Labor and was applied only to the existing programs since new funds to be authorized under provisions of H.R. 4955 were not restricted to the old categories as provided for in the Smith-Hughes and George-Barden Acts.

Finally, the House Committee on Education and Labor agreed to change the emphasis on training of youth for "useful" employment as originally introduced in H.R. 4955, to "gainful" employment. Provisions for the work-study program and the student loan insurance program, authorized in H.R. 4955 as originally introduced, were deleted in executive session.

In the Subcommittee and Full Committee executive sessions, Representative Bell of California introduced the Powell amendment. The amendment was defeated in each committee.

On June 18, 1963, the Committee on Education and Labor of the House of Representatives reported H.R. 4955 out of Committee and recommended that the bill, as amended, be passed.[175]

The House Committee on Education and Labor submitted House Report No. 393 to accompany H.R. 4955 to the House Committee on Rules and respectfully requested a rule on the bill. On August 1, 1963, the House Committee on Rules granted an open rule on H.R. 4955, permitting three hours of general debate and amendments to any portion of the bill.

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[175] See Appendix D for an Analysis of H.R. 4955 as Reported Favorably by the Committee on Education and Labor, House of Representatives, on June 18, 1963.

At the direction of the House Committee on Rules, Representative Elliott of Alabama called up House Resolution 469 on August 6, 1963, and asked for its immediate consideration. House Resolution 469 said in part:

> Resolved, that upon the adoption of this resolution, it shall be in order to move that the House resolve itself into the Committee of the Whole House on the State of the Union for the consideration of the bill (H.R. 4955) to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the nation.[176]

Elliott said:

> Mr. Speaker, I am happy to have the privilege today of bringing to the House, by direction of the Committee on Rules, the rule making in order the consideration of H.R. 4955...I support the rule and urge its adoption. If the rule is adopted we will go into the Committee of the Whole House on the State of the Union for three hours of general debate, which will be followed by debate under the five-minute rule. At the end of debate the House will vote the bill, H.R. 4955, up or down. I shall support the bill...[177]

Elliott suggested that the American people were beginning to recognize the correlation between the nation's social ills--unemployment, economic distress, juvenile delinquency, crime--and educational programs. In regard to the cost of the program to the federal government, Elliott stated in part:

> For those who are able to look beyond the immediate future, say, 10 years from now, it is obvious that every dollar we spend on vocational training programs will yield a tremendous return in savings to our economy...An enlarged and

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[176] House Resolution 469.

[177] U. S. Congress. Congressional Record. 88th Congress, 1st Session, 1963, p. 13463.

> comprehensive vocational education program will strengthen our economy as a whole by strengthening the capacity of individuals to produce, consume, and pay taxes...It is economic as well as commonsense that says we must invest now in vocational education, and invest heavily.[178]

In regard to the Powell amendment (antidiscrimination amendment), Elliott had this to say:

> I hope that no member will kill, or jeopardize the life of this bill by offering the so-called Powell amendment to it. In my judgment, the amendment would hurt the bill. I believe it would kill it...This bill should not be made a vehicle of racial agitation...I think we can all agree that people of all races, colors, and creeds will reap great benefits under the bill.[179]

H.R. 4955, said Elliott, "builds well on foundations already found trustworthy by time." In terms of cost, he suggested that the proposal for funds in H.R. 4955 was modest in size in relation to immediate need and in terms of investing in the future of the nation and its young people. Finally, he urged adoption of House Resolution 469.

Representative Brown of Ohio, admitted he had "not been enamored of most of the federal aid to education measures or bills that have been introduced in this House" suggested that H.R. 4955 "may prove to be the best and most necessary piece of educational legislation to come before the Congress in this session." Finally, Brown stated that he would support H.R. 4955.

Representative Smith of Virginia rose in support of the vocational education bill, H.R. 4955. With regard to federal aid for education, Smith said:

> I am usually opposed to federal aid to education largely because I believe there is a desire on the part of the bureaus administering those programs to get control of

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[178] Ibid., pp. 13462-13463.

[179] Ibid., p. 13464.

> local education and the local curricula, and that is something that many of us think should be left to the local communities, that is, to guide the curriculum and the method of educating the youth. However, vocational education is something that has been going on in this government for many, many years, as you all know. This is a supplemental authorization for futher aid for vocational education. This is a thing that is very much desired and is very much needed.[180]

Smith stated that the Powell amendment, if adopted, would greatly "diminish the chances of the bill passing the Congress, because there are a lot of people who cannot vote for it with that provision in it." Although Smith supported H.R. 4955, he objected to the provisions for an Advisory Committee to advise the U. S. Commissioner of Education and and Advisory Council to study vocational education programs every five years. "Now," he said, "you have two advisory committees on top of the Office of Education..."

Representative Avery of Kansas stated that he would enthusiastically support H.R. 4955 as reported out of the House Committee on Education and Labor, but suggested that he would object to the bill going to conference if the Senate doubled the size of the authorizations in its deliberations. Avery had this to say about the Powell amendment:

> Now, how in the world can we justify leaving the antidiscrimination clause out of this bill with this entire issue squarely before Congress and being debated by two committees in the other body, and I think also by two committees in this body...Either a civil rights provision is right or it is wrong. It is just as simple as that...and if it is right in the bill which the President has sent to Congress, it is right in the bill we are debating today.[181]

Later in his statement, Avery remarked:

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[180] Ibid., p. 13465.

[181] Ibid., p. 13467.

> I do not believe that there is any logical reasoning whereby we can say we are "Pontius Pilates," and wash out hands of this and let this issue be taken care of down at 1600 Pennsylvania Avenue.[182]

Representative Conte of Massachusetts stated that he would like to associate himself with Avery's remarks concerning the antidiscrimination amendment. Conte continued by saying that if Congress did not act favorably on such an amendment that it would be telling young people throughout the land that "if your skin does not happen to be white you are not going to benefit by this legislation."

Representative Madden of Indiana commended the House Committee on Education and Labor for bringing to the floor of the House a critically needed and long overdue bill which would expand vocational education opportunities in the nation. H.R. 4955, he said, would greatly assist in alleviating the unemployment situation in the country, as well as provide training opportunities for needed skilled and technical workers. He outlined provisions of the bill and suggested that H.R. 4955 should be passed by an overwhelming vote.

Following Madden's statement, Elliott moved for the question on House Resolution 469. The Resolution was agreed to and the House resolved itself into the Committee of the Whole House on the State of the Union for the consideration of H.R. 4955.

House Debate on H.R. 4955

Representative Powell of New York and Chairman of the Committee on Education and Labor, House of Representatives, gave the opening speech in support of H.R. 4955. He spoke of the federal government's support of vocational education since the enactment of the Smith-Hughes Act of 1917. "Vocational education," he said, "needs no defense to a group of this kind." H.R. 4955 had closely followed the recommendations of the Panel of Consultants on Vocational Education, said Powell. Moreover, he said,

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[182] Ibid., p. 13467.

> H.R. 4955, in implementing these recommendations, would update and revamp one of the most important areas of American life. I feel that the passage of this act would be a landmark in American education as important as the National Defense Education Act of 1958.[183]

Federal funds, said Powell, have served as a stimulus to develop vocational education programs. However, he pointed out that "state and local funds have increasingly borne the responsibility for such progress." For example, in 1962 the federal government invested $51,438,073 in vocational education as compared to $232,492,769 invested by state and local communities. In other words, state and local communities were overmatching federal funds for vocational education by a ratio of four to one. Even with the magnitude of investment for vocational education in 1962, Powell noted that the program had "not kept pace with the new advancements in technological vocational diversification."

Finally, Powell said:

> We must modernize and expand the structure of our vocational education program, woefully inadequate in its present form, to meet the needs of first, our social and technological changes, second, our population shift from the farms to the cities; and third, the replacement of the craftsmen by new and ingenious, complicated machines.[184]

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[183] Ibid., p. 13469.

[184] Ibid., p. 13471.

Powell requested Representative Perkins, Chairman of the General Subcommittee on Education, to "take over for the majority party." Perkins opened his remarks by stating:

> It is not often that legislation affecting so many lives has gained such overwhelming bipartisan support.[185]

Perkins went on to say "...There will be no debate on the fundamental issue raised by H.R. 4955 or the principles underlying its proposals." Moreover, he suggested that the basic issue before the House was "the immediate need for expansion of our nation's efforts in the area of vocational education..." He had assessed the situation correctly, for the debate in the House devoted little attention to the merits or demerits of the proposed legislation to expand and improve vocational education. The major portion of the House debate centered around the pros and cons of attaching the Powell amendment to H.R. 4955.

The House leadership had been informed prior to debate that Representative Bell of California planned to offer the Powell amendment. Moreover, the Republican Policy Committee had gone on record in favor of H.R. 4955 with an antidiscrimination amendment the day before the bill was brought to the floor of the House. Apparently, the Republicans were pushing the Powell amendment, not to kill the bill as some members argued, but as an avenue to make a point that the minority party would vote for a civil rights program in the form of the Powell amendment. However, Democrats argued that the Administration had sent forth a Civil Rights Bill and that the minority party would have an opportunity to vote on a comprehensive civil rights measure which would encompass all educational legislation. One member of Congress summed up the effect of the Powell amendment as follows:

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[185] Ibid., p. 13471.

> I do know that an amendment of this character has had the effect heretofore of vitiating and rendering abortive all our efforts to get worthwhile legislation on the statute books and has had the effect of destroying and rendering a nullity the bills that were being considered by the House.[186]

Opponents to the Powell amendment repeatedly pointed out that past legislative history revealed that no educational legislation had been voted out of the House to which the Powell amendment had been attached. Member after member of the House rose in support of H.R. 4955 as reported out of the House Committee on Education and Labor, but pleaded that the attachment of the Powell amendment to the bill "would be the kiss of death" for the proposed vocational education legislation.

After much discussion and debate, Representative Bell offered the antidiscrimination amendment--commonly called the Powell amendment. On offering the Powell amendment, Representative Bell said:

> Mr. Chairman, vocational training encouraged in the United States with funds authorized by Congress must be considered an aspect of the federal response to the problem of racial inequality in our land...I submit that the upgrading of the economic potential of minorities is a major justification for support of H.R. 4955. I submit, further, that Members now being asked to vote for this bill, along with both white and nonwhite taxpayers who will have to pay for it, ought to be reassured that racial discrimination will not mar the program.[187]

Specifically, the Powell amendment provided:

> That after June 30, 1965, any program assisted with funds appropriated under this Act shall be operated, and students admitted thereto, on a racially nondiscriminatory basis... After June 30, 1965, each state plan shall require that any

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[186] Ibid., p. 13497.

[187] Ibid., p. 13496.

> vocational education program assisted with funds appropriated under this Act shall be operated, and students admitted thereto, on a racially nondiscriminatory basis.[188]

Mr. Bell argued that the amendment he offered would provide a simple guarantee against discrimination in the vocational education program. He explained the amendment as follows:

> If the amendment is adopted, the Commissioner of Education of the Department of Health, Education, and Welfare, will be called upon to review the vocational proposals of each state which requests federal matching funds. He will be expected to certify that the training is being offered in integrated schools and is of uniform quality.[189]

Representative Hawkins of California, among others, rose in opposition to the pending amendment. His plea was dramatic:

> Mr. Chairman, I doubt if any man in this House can speak to me in terms of civil rights who has felt perhaps civil rights any more than I have. I doubt if anyone has had the experience of being refused admittance into places of public accommodation, even in the district of the sponsor of this amendment, because of his wife whose complexion is obviously more Negro than mine. I think anyone who has gone through that experience can speak in terms of civil rights as a prize possession, as something that is sacred and as something which should not be dragged through partisan political battles merely for publicity.[190]

Hawkins continued his statement in opposition to the amendment as follows:

> It has been said that the amendment will provide for a nondiscriminatory program in the field of vocational education. You should understand that the amendment would deprive any state of any federal funds if that state had as much as one school or one district which still discriminated, and despite the fact there may innocently be many others that are trying to comply in every way with the Supreme Court decision, and despite the fact there are many that are actually in compliance with it. The innocent would be spanked with the guilty.[191]

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[188] Ibid.

[189] Ibid.

[190] Ibid., p. 13498.

[191] Ibid.

Later in his statement, Hawkins said:

> In my opinion the real danger of this amendment is it will defeat this bill and deprive more Negroes of needed training than even whites...I come from and I represent a district which is between the noise of downtown Los Angeles and the stockyards, and the poor Negro boys and girls in my district need this training. For that reason I oppose the amendment.[192]

As the debate continued, Representative Quie of Minnesota told members of the House that if the Powell amendment was not supported, "We are going to offer a motion to recommit which will be offered by the gentleman from Kentucky, Mr. Snyder." Thus, Quie commented, "...all can be on record today to show whether they favor civil rights or not."

When it came time for the vote on the amendment, Representative Bell demanded a teller vote. The tellers reported that there were 146 yeas, and 194 nays. So the Powell amendment (nondiscrimination amendment) offered by Bell was rejected.[193]

Representative Cahill of New Jersey offered an amendment which would make the provisions of H.R. 4955 applicable not only to students in public instruction but "would also make this bill applicable to non-profit educational institutions" as well. The amendment was defeated by a vote of 44 yeas to 123 nays.[194]

The committee substitute amendment was agreed to as reported out of the House Committee on Education and Labor.[195] However, Representative Snyder of Kentucky moved to recommit the bill, H.R. 4955, to the

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[192] Ibid., pp. 13498-13499.

[193] Ibid., p. 13504.

[194] Ibid., p. 13504.

[195] Ibid., p. 13505.

House Committee on Education and Labor with instructions to add the Powell amendment to the bill. The question on the motion to recommit was taken, and there were 181 yeas and 217 nays. The motion to recommit the bill was rejected.[196]

H.R. 4955 Passed by House of Representatives

The question was taken on the passage of H.R. 4955. The yeas and nays were ordered and there were 377 yeas and 21 nays. The bill (H.R. 4955) was passed by the House of Representatives on August 6, 1963.[197]

The Committee on Labor and Public Welfare, U. S. Senate, Reports Out a Bill to Strengthen and Improve the Quality of Vocational Education and to Expand the Vocational Education Opportunities in the Nation

The Senate Subcommittee on Education of the Committee on Labor and Public Welfare held seventeen days of hearings on S. 580, Title V, Part A, beginning April 29, 1963, and finishing on June 25, 1963. During the intervening time, President Kennedy sent a message to the Congress on June 19, 1963, wherein he stated:

> That the pending vocational education amendments, which would greatly update and expand this program of teaching job skills to those in school, be strengthened by the appropriation of additional funds, with some of the added money earmarked for those areas with a high incidence of school dropouts and youth unemployment, and by addition of a new program of demonstration for youth training projects to be conducted in these areas; that the vocational education program be further amended to provide a work-study program for youth of high school age, with federal funds helping their school or other local public agency employ them part-time in order to enable and

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[196] Ibid., p. 13506.

[197] Ibid., p. 13507.

encourage them to complete their training.[198]

Administration Request for New Vocational Education Programs Introduced by Senator Morse

On July 18, 1963, Senator Morse of Oregon introduced the vocational education recommendations incorporated in the June 19, 1963, Presidential message as an amendment to Title V, Part A, of S.580.[199] The new proposal as introduced by Senator Morse was an expanded version of H.R. 4955 and differed from the House Bill in several respects.

First, the level of authorizations were significantly increased over the authorizations included in H.R. 4955 as originally introduced by Representative Perkins. Table II reflects those differences.

TABLE II

AUTHORIZATIONS FOR APPROPRIATIONS IN PROPOSED AMENDMENT
BY SENATOR MORSE IN THE NATURE OF A SUBSTITUTE BILL
FOR TITLE V, PART A, OF S. 580
(IN MILLIONS)

Fiscal Years	S. 580 Amendment	H.R. 4955 (Original)	H.R. 4955 (Reported)
Fiscal Year 1964	$108	$ 73	$ 45
Fiscal Year 1965	153	175	90
Fiscal Year 1966	198	250	135
Fiscal Year 1967	243	340	180
Fiscal Year 1968+	243	As necessary	180

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[198] See Appendix E for a Summary of New Provisions in the Administration's Vocational Education Proposal.

[199] See Appendix F for the Text of the Proposed Amendment in the Nature of a Substitute for Title V, Part A, of S. 580.

Second, the amendment introduced by Senator Morse authorized an additional $15 million for experimental residential schools beginning in the fiscal year 1964 and such sums as Congress might determine for the next four years.

Third, the amendment authorized $50 million beginning in fiscal year 1964 and such sums as necessary for the next four years for grants to the states to enable local educational agencies to give work assistance to students in full-time attendance in vocational education courses.

Fourth, the amendment raised the percentage of funds authorized to be appropriated to pay part of the cost of research, experimental, developmental, or pilot programs designed to meet the special vocational education needs of youth from five per cent to 15 per cent.

Fifty, the amendment raised the percentage of funds to be used for building area vocational schools from 25 per cent to 40 per cent for the first five years of the program.

Sixth, the amendment reintroduced an equalization factor (per capita income) into the allotment formula for allotting funds among the states for vocational education purposes.

Moreover, the amendment differed from S. 580, Title V, Part A, in that it continued the George-Barden Act and made the Practical Nurse Training and Area Vocational Education Programs permanent. Furthermore, the amendment differed from the original S. 580, Title V, Part A, in that it would have made the new program permanent while the original bill would have limited the program to five years.

In addition, the Senate amendment focused on providing vocational education opportunities for youths living in deprived areas as well as those who had dropped out of school or were unemployed.

Since the Committee on Education and Labor, House of Representatives, had favorably reported H.R. 4955 out of Committee on June 18, 1963,--one day prior to the Administration's proposed substitute being sent to the Congress--the Senate was left in sole possession of the substitute.[200] The House of Representatives had passed H.R. 4955 on August 6, 1963, and referred the bill to the Senate Committee on Labor and Public Welfare the following day.

The Senate Subcommittee on Education of the Committee on Labor and Public Welfare met in executive session on September 10 and 11, 1963, and considered both H.R. 4955 and S. 580. On September 11, 1963, the Senate Subcommittee on Education recommended to the full committee that H.R. 4955 be amended by striking the text of the bill as it passed the House of Representatives and substituting therefore, four new parts, as follows:

> Part A--the text, with minor modifications, of the July 18, 1963, amendment of Title V, Part A, of S. 580, incorporating the expanded vocational education recommendations of the President;
> Part B--the extension and amendment of the National Defense Education Act of 1958;
> Part C--the extension and amendment of Public Laws 815 and 874;
> Part D--the extension of the Library Services Act, originally Title VI, Part C, of S.580.

Committee on Labor and Public Welfare, U. S. Senate, Amended H.R. 4955 and Reported the Bill Favorably

On September 25, 1963, the Senate Committee on Labor and Public Welfare met in executive session to consider H.R. 4955 as reported favorably by the Senate Subcommittee on Education. Upon considering the bill and making amendments thereto, the Senate Committee on Labor and Public Welfare ordered to be printed on October 1, 1963, Senate Report No. 553 to accompany H.R. 4955. Senate Report No. 553 stated in part:

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[200] Douglas F. Kliever. Vocational Education Act of 1963: A Case Study in Legislation. American Vocational Association, Washington, D. C., 1965, p. 41.

> The Committee on Labor and Public Welfare, to whom was referred the bill, H.R. 4955, to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the nation, having considered the same, report favorably thereon with amendments, and recommend that the bill, as amended, do pass.

The Senate Committee on Labor and Public Welfare deleted Part D of the bill as reported by the Senate Subcommittee on Education and made a number of technical amendments to the bill.[201]

A brief summary of H.R. 4955, as amended by the Senate Committee on Labor and Public Welfare, reflects the following:

Part A, to expand vocational education would authorize--

1. A new permanent program of financial assistance to the states for the purposes of maintaining, extending, and improving existing programs of vocational education;
2. The development of new programs in vocational education through grants for research and the financing of pilot and demonstration projects;
3. The establishment, through grant assistance to the states to public educational institutions, and to colleges and universities, of area vocational schools located near urban cities having substantial numbers of young people who have dropped out of school or who are unemployed; and
4. The provision, through grants to the states, of part-time employment in public agencies or institutions, to needy youths, aged 15 through 20, designed to enable them to obtain vocational training on a full-time basis;

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[201] See Appendix H for An Analysis of Part A of H.R. 4955 as Reported Favorably by the Committee on Labor and Public Welfare, United States Senate, on October 1, 1963.

Part B, to extend the provisions of the National Defense Education Act of 1958 for three years following June 30, 1964, would--

1. With respect to Title II of the National Defense Education Act, increase student loan fund authorizations from the present fully appropriated $90 million to $125 million for fiscal year 1964; $135 million for fiscal year 1965; $145 million for fiscal year 1966; and $150 million for fiscal year 1967. The committee also raised the present $250,000 institutional ceiling to $800,000, thus enabling many of the larger institutions to participate more fully in the program;

2. With respect to Title IV of the National Defense Education Act, permit the Commissioner of Education to appoint new fellows for the unexpired terms of lapsed fellowships and further to permit the Commissioner to provide a flat $2,500 allowance, less tuition charged, replacing the present variable allowance to the institution providing graduate education to a fellow;

3. With respect to Title V of the National Defense Education Act, extend to the seventh and eighth grades the guidance, counseling, and testing services which were available in the secondary schools, and

4. With respect to various titles of the National Defense Education Act, amend them in minor ways in order to increase the equity and efficiency of the administration of the act;

Part C, to extend the impacted area legislation, would--

1. Extend for three years from June 30, 1963, the existing provisions of the impacted area legislation, Public Laws 815 and 874, modified only by including the District of Columbia within the coverage of such statutes.

Only Part A of H.R. 4955 as reported favorably by the Senate Committee on Labor and Public Welfare was considered for purposes of this study. However, since the Senate Committee on Labor and Public Welfare amended H.R. 4955 to include Part B and Part C as previously indentified, it was felt appropriate to briefly note inclusion of both parts.

Senate Debate on H.R. 4955, as Amended

On October 7, 1963, the Senate opened debate on H.R. 4955 as amended and reported out of the Senate Committee on Labor and Public Welfare. Senator Morse of Oregon gave the opening speech in support of H.R. 4955. He reminded his colleagues that the President's January 29, 1963, message to the Congress on American education had included 24 major areas and recommendations in which education legislation was needed. Those recommendations, said Morse, were embodied in S. 580, the National Education Improvement Act of 1963.[202]

Morse further stated that the legislation before the Senate, H.R. 4955, was the first installment of education legislation which the Committee on Labor and Public Welfare planned to present to the Senate "during the life of this Congress." Moreover, he reminded his colleagues that the bill, H.R. 4955, which was currently being considered was only "one of the four measures reported from the Committee on Labor and Public Welfare during the course of its executive session on September 25." "One of these, H.R. 6143," said Morse, "the higher education bill will shortly be before the Senate." Senator Morse indicated that the legislative strategy in adopting an "installment approach" for consideration of the various provisions embodied in the National Education Improvement Act was based on "what can be done." Morse stated his position:

> As the Senator in charge of the bill, I have a responsibility to my committee and to the President of the United States to bring forth a bill which contains, in our combined

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[202] U. S. Congress. Congressional Record. 88th Congress, 1st Session, 1963, p. 17837.

judgment, the best which can be accomplished at this time...[203]

Senator Morse stated that he would make no apologies for the course of action the Senate Committee on Labor and Public Welfare had adopted in reporting various component parts of S. 580. With respect to H.R. 4955, he said:

> This first educational bill, this first installment on the President's program, reaches a vital need in our economy for today, for next year, and for the years ahead.[204]

Senator Morse enumerated the major changes made in H.R. 4955 by the Senate Committee on Labor and Public Welfare as received from the House as follows:

> a. In accordance with the Presidential request, we have increased the authorization for the financing of the expanded program of grants to the states for vocational education in each year of its operation by $63 million.
>
> b. We have raised from five to 15 per cent of the amounts appropriated, the funding of research grants, leadership training, and pilot or developmental programs, all of which as a major purpose are directed toward meeting the pressing problems of urban school dropout and youth unemployment.
>
> c. We have changed the formula for the distribution of the allotments to the states. The major differences here are that the Senate version contains a per capita income factor designed to assure an equalization of amounts available to the states.[205]

In addition, Morse reported that the Senate Committee on Labor and Public Welfare had added two new programs for vocational education to the House version of H.R. 4955. These two programs were based on President Kennedy's message to the Congress on June 19, 1963, and incorporated the following provisions, said Morse.

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[203] Ibid., p. 17838.

[204] Ibid.

[205] Ibid., p. 17840.

> The first, authorizes $15 million for fiscal year 1964 and such sums as the Congress determines for the next four fiscal years for federal grants to establish and operate residential schools to provide vocational education to youths of high school age who need full-time study on a residential basis...language of the bill encourages the Commissioner to give special consideration in making these grants to colleges and universities and to state and local public educational organizations, to give special consideration to the needs of our large urban areas which have substantial numbers of youths who have dropped out of high school and are unemployed.
>
> The second, authorizes $50 million for fiscal year 1964 and necessary sums for each of the next four years for grants to states to enable local educational agencies... to give work assistance to students in full-time attendance in vocational education courses.[206]

Moreover, Senator Morse said that the legislation embodied in H.R. 4955 was designed in three constituent parts:

> First, to greatly strengthen and improve our vocational education program;
>
> Second, provide urgently needed amendment and extension of the National Defense Education Act; and
>
> Third, continue the authorization for the major federal program which provided both construction assistance and financing of the operation and maintenance of a large segment of our public and elementary school system (impacted area aid).[207]

Finally, Senator Morse urged his colleagues to support H.R. 4955 without amendment.

The debate which followed in the Senate the remainder of the afternoon and the following day centered largely on amendments which were offered on Part C of H.R. 4955 to authorize a three-year extension of the impacted area aid program. There appeared to be general agreement in the Senate that the vocational education provisions embodied in

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[206] Ibid., p. 17841.

[207] Ibid., p. 17838.

Part A of H.R. 4955 were long overdue since occupational categories in the present statutes were said to be no longer adequate to meet the needs of a rapidly changing labor force. Moreover, the provisions embodied in Part A of H.R. 4955 emphasized the kinds of people to be served and the special facilities and services required to provide occupational competencies in a changing society. Furthermore, the Senate generally agreed that the National Defense Education Act was worthy of extension.[208]

Six amendments were offered on H.R. 4955. The amendments were:

1. Senator Barry Goldwater of Arizona offered an amendment to cut the authorization for vocational education to the amounts included in the House version of H.R. 4955 and to eliminate the work-study and residential school provisions of the bill.
2. Senator Birch Bayh of Indiana offered an amendment to increase the authorization in Part A of H.R. 4955.
3. Senator Jacob Javits of New York offered a modified civil rights amendment on Part C of H.R. 4955.
4. Senator Thomas Dodd of Connecticut offered a technical amendment on Part C of H.R. 4955.
5. Senator Joseph Clark of Pennsylvania introduced an amendment on Part C of H.R. 4955 to cut back to one year the three-year extension of the impacted area program.
6. Senator Joseph Clark of Pennsylvania introduced an amendment to substitute the President's omnibus bill, S. 580, in place of H.R. 4955, as amended, and reported out of the Committee on Labor and Public Welfare.

Upon introducing the amendment to reduce the authorization for appropriation for vocational education to the amounts included in the House version of H.R. 4955, Senator Barry Goldwater had this to say:

> I wish to make it abundantly clear that I do not oppose vocational education...My whole objection to the bill as

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[208] Ibid., pp. 17842-18037.

> it now stands is that it would be much too costly...No need has actually been shown for this great increase which is 15 times greater than the President originally asked for in his first message to the Congress on this subject.[209]

In addition, the Goldwater amendment would have eliminated the work-study provision and the residential school provision as included in H.R. 4955 as reported from the Senate Committee on Labor and Public Welfare. Goldwater said:

> ...$180 million would be allowed for the construction of residential vocational schools, not provided for in the House version. A work-study program not authorized by the House version would add $310 million to the cost...In short, there is no demonstrable need for this costly addition.[210]

He elaborated by saying the Administration had "talked economy and practiced extravagance" for nearly three years. The Republican Party suggested Goldwater, stood "ready to take the President at his word and offer him every possible assistance in pulling in the reins on galloping federal expenditures."

Senator Morse of Oregon rose in opposition to the Goldwater amendment. He maintained that the provisions embodied in Part A of H.R. 4955 would "strike a blow against the bad social effects of automation ..." Morse said:

> I am asking for a frontal attack on the social problems of automation, which are the No. 1 domestic economic issue facing the country. If we do not do something about the economic disjointures being caused by automation, in the not too distant future we shall find ourselves with a serious unemployment crisis. To prevent it, we must train people to hold jobs.[211]

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[209] Ibid., p. 17867.

[210] Ibid., p. 17867.

[211] Ibid., p. 17871.

Senator Morse further insisted that the vocational education proposal was modest in size "considering that eight out of 10 youngsters stop their education before graduating from college, many being totally reliant on vocational training for their occupational future." Moreover, he said that the "exceedingly high rates of Negro unemployment...cannot be substantially reduced until Negro educational opportunities are massively expanded..." to meet modern technological requirements.

The vocational education provisions embodied in H.R. 4955, said Morse, would provide "equal employment opportunities" for million of youths of all ethnic origins. Expenditures made under authorizations for vocational education, Morse argued, would be offset again and again through increased taxes which recipients of the program would be able to pay.

Senator Keating of New York joined Senator Morse in opposition to the Goldwater amendment. The Senator from New York maintained that vocational education could greatly assist in reducing the "disturbingly high rate of unemployment." Moreover, Keating said:

> It is no longer enough for our youngsters to learn the three R's. Unless they learn a trade or profession, they may find themselves filling unemployment forms instead of filling a job worthwhile.[212]

"Economic rights," said Mr. Keating, "are as important as civil rights in the 20th century." Senator Keating continued:

> There is no better way to promote economic gain among minority groups than to provide adequate vocational training for all those who seek it.[213]

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[212] Ibid., p. 17871.

[213] Ibid.

Senator Keating suggested that funds spent for vocational education were a "direct investment in our future." Finally, he stated that the authorization for appropriations in the Senate version of H.R. 4955 would result in increased tax returns and reduced welfare costs.

The yeas and nays were called for on the amendment offered by Senator Goldwater and the amendment was rejected 23 to 52.[214]

On October 8, 1963, the Senate resumed consideration of H.R. 4955, a bill to strengthen and improve the quality of vocational education and to expand the vocational education opportunities in the nation.

Senator Birch Bayh of Indiana offered an amendment to increase the authorizations in Part A of H.R. 4955 "which would by 1967 implement the minimum recommendations of the President's Panel of Consultants on Vocational Education." Bayh noted that the Panel of Consultants had recommended that the federal government invest $400 million for vocational education in fiscal year 1964. "My modest amendment," said Bayh, "would postpone reaching this goal until four years later."[215] Provisions of the Bayh amendment to increase authorizations for vocational education are reflected in Table III.

Senator Bayh urged adoption of his amendment for three basic reasons:

> First, history has shown that for each federal dollar expended for vocational education, state and local governments have provided more than $4...
>
> Second, the demand for skilled and highly trained workmen has never been greater. The demand for nonskilled workers has never been less. With the rapid technological changes occurring today in industry, this trend not only will continue but also will accelerate...

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[214] Ibid., p. 17872.

[215] Ibid., p. 17982.

> Third, although the amendment would considerably increase the long-range allocation of resources for vocational education; the increase would be comparatively gradual. This step-by-step, four-year increase would enable the development of adequate programming and planning to insure the efficient assimilation of all additional funds.[216]

TABLE III

AUTHORIZATIONS FOR APPROPRIATIONS IN PROPOSED AMENDMENT BY SENATOR BAYH TO INCREASE H.R. 4955 APPROPRIATIONS (IN MILLIONS)

Fiscal Year	Proposed Bayh Amendment	H.R. 4955 (as amended in Senate Committee)
Fiscal Year 1964	$108	$108
Fiscal Year 1965	160	153
Fiscal Year 1966	258	198
Fiscal Year 1967	400	243
Fiscal Year 1968+	400	243

In addition, Senator Bayh held that "vocational education helps prepare our nation's youth to meet the changing demands of our society." Furthermore, he said:

> A democratic educational system is best evaluated by the degree to which it permits the individual student to assert his individuality to develop his own capabilities and interests to the utmost.[217]

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[216] Ibid., p. 17982.

[217] Ibid., p. 17983.

Finally, in closing his maiden speech in the Senate, Bayh said:

> In this era, when a diploma does not guarantee a job, let us fully implement this program designed to see that each student is 'job-trained.' 'Job-trained' with the skills needed today and tomorrow. Let us insist that the vocational programs of this country be large enough to do the job.[218]

Senator Morse praised Senator Bayh for "his plea for more support for the youth of America." Morse, however, opposed the amendment because "I try to be a political realist in the Senate." Senator Morse said:

> When I take note of the fact that we are recommending substantially more than is provided in the House bill, but short of what the Senator from Indiana is recommending, the question before us is--Is this a reasonable, conscionable, compromise of the different points of view in the Senate? I respectfully submit that it is...I hope in the years to come we may reach the figure that the Senator from Indiana has recommended.[219]

Senator Morse maintained that he agreed with the spirit of the Bayh amendment to expand the authorizations for vocational education, but said he would urge the defeat of the amendment if Senator Bayh pressed for its adoption. Moreover, Senator Morse urged Bayh to withdraw his amendment. However, Morse gave assurance to Senator Bayh that so long as he (Morse) served as chairman of the Senate Subcommittee on Education he would press for "an ever-expanding program to bring educational benefits to the youth of the country..."

Upon receiving assurance from Senator Morse that the Senate Subcommittee on Education would "delve into the ramifications" of his amendment, Senator Bayh withdrew his amendment to expand vocational education authorizations.[220]

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[218] Ibid., p. 17984.

[219] Ibid., p. 17985.

According to Douglas Kliever, Senators Morse and Bayh had agreed that Senator Bayh would give his maiden speech on the amendment to expand the vocational education authorizations embodied in H.R. 4955. Kliever wrote:

> Morse planned the amendment to be a counter to the Goldwater amendment, showing that vocational education could use more money than the Administration had proposed. Morse and Bayh agreed that once this point was made the amendment would be withdrawn.[221]

Subsequently, Senator Jacob Javits of New York offered a modified civil rights amendment to Part C of H.R. 4955 dealing with the impacted aid program. The Javits' amendment sought to give the U. S. Commissioner of Education authority to withhold payment of funds under authority of Public Laws 815 and 874 to local school districts on the grounds that such districts were practicing segregation. Senator Javits maintained that his proposed amendment was "really not a civil rights amendment even though it would have that thrust."

Senator Morse argued that the amendment proposed by Javits would kill any possibility of H.R. 4955 being passed by the Senate. Morse said:

> In my capacity as leader of the proponents of the bill, I owe a responsibility to the undertrained in this country, to the boys and girls in this country who need the benefits of this pending bill; and we should not penalize them in connection with what amounts to a civil rights rider on the bill, when the real responsibility of Congress is to measure

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[220] Ibid., p. 17987.

[221] Douglas E. Kliever. Vocational Education Act of 1963: A Case Study in Legislation. American Vocational Association, Washington, D. C., 1965, p. 50.

> up to its overall obligation to pass an adequate civil rights law.[222]

Furthermore, Morse insisted that the Javits' amendment was a piecemeal approach to civil rights legislation at a time when the Senate should enact a comprehensive civil rights law. Accordingly, Senator Morse moved to table the Javits' amendment to Part C of H.R. 4955. The vote was called for and the motion to table the Javits' amendment was agreed to 54 to 35.[223]

Senator Thomas Dodd of Connecticut offered a technical amendment to Public Law 874 authorized under Part C of H.R. 4955. Senator Dodd said:

> Public Law 874...presently offers relief to school districts one year beyond the sale of government-owned housing property to private buyers. I feel this provision should apply to the sale of government-owned industrial and nonhousing property as well.[224]

Senator Dodd maintained the adoption of his proposed amendment "would lessen the impact on school districts of the sale of government-owned property to private interests." The ensuing debate resulted in Senator Morse saying that he would:

> ...take to the conference the amendment of the Senator from Connecticut with the understanding that there will be no commitment that it will come out of conference.[225]

Senator Dodd responded that he would be "perfectly happy to have the amendment so considered..." Morse asked that the Dodd amendment be adopted with the understanding that it would be considered in conference committee. The amendment to the amendment was agreed to.[226]

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[222] U. S. Congress. Congressional Record. 88th Congress, 1st Session, 1963, p. 17994.

[223] Ibid., p. 17997.

[224] Ibid., p. 17997.

[225] Ibid., p. 18004.

Senator Joseph Clark of Pennsylvania offered an amendment on Part C of H.R. 4955 relating to Public Laws 815 and 874. He explained his proposed amendment as follows:

> The purpose of the amendment is to cut back to one year the three-year extension of the impacted area program set forth in Public Laws 815 and 874.[227]

Moreover, Senator Clark told the Senate:

> The impacted areas bill is federal aid to education on a grossly inequitable basis. It gives generous federal aid to education for certain school districts while denying it to other school districts that are even more entitled to it.[228]

Senator Morse opposed the Clark amendment to cut back to one year the impacted area aid extension. He based his argument on the premise that a one-year extension would not provide enough time to adequately study the program. In addition, Morse indicated that a three-year extension would give the Senate conferees "more bargaining power" in conference committee. Lastly, Morse said he would be willing to "take to conference a proposal for a study as an amendment to the bill."

Later, Senator Clark agreed to modify his original amendment "not because it was wrong," he said, "but because it was completely obvious that I was not going to get anywhere..." Accordingly, Senator Clark modified his amendment as follows:

> The Commissioner of Education shall submit to the Secretary of Health, Education, and Welfare for transmission to the

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[226] Ibid., p. 18005.

[227] Ibid.

[228] Ibid.

> Congress on or before January 1, 1965, a full report of the operation of Public Laws 815 and 874, as extended in this Act, and his recommendations as to what amendments to these laws should be made if they are further extended.[229]

Senator Morse lauded Clark for his willingness to modify his original amendment and agreed to "try to obtain favorable consideration for it in conference because the proposed study is needed..."

The question on the modified amendment to the amendment was agreed to.[230]

Senator Joseph Clark of Pennsylvania offered another amendment to H.R. 4955. His proposed amendment would have substituted the President's omnibus bill, S. 580, for H.R. 4955. He commented:

> My purpose in proposing this substitute is to bring before the Senate the critical nature of the educational crisis in this country. My fear is that the pending bill (H.R. 4955) and the other bills which have been reported by the Committee on Labor and Public Welfare do not adequately deal with that crisis.[231]

Apparently, Senator Clark submitted his amendment to make a point that he differed with the legislative strategy adopted by the Committee on Labor and Public Welfare to "use the installment approach" concerning the Administration's proposed education legislation.

Clark withdrew his motion stating his reasons for doing so were because of (1) "tactics" as to managing the pending bill and carrying it through conference, (2) the Senate was "at the mercy of the House of Representatives," and (3) he did not wish to embarrass the

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[229] Ibid., p. 18009.

[230] Ibid., p. 18010.

[231] Ibid.

Administration by pressing for the amendment.[232]

H.R. 4955, as Amended, Passed by the U. S. Senate

The remaining time devoted to debate on H.R. 4955 revealed overwhelming support for the bill. Finally, Senator Morse asked for the yeas and nays on the passage of H.R. 4955. When the votes were tallied, there were 80 yeas and 4 nays. So the bill, H.R. 4955, was passed in the Senate on October 8, 1963.[233] Moreover, the title of the bill was amended to read:

> An Act to strengthen and improve the quality of vocational education and to expand the vocational educaton opportunities in the nation, to extend for three years the National Defense Education Act of 1958 and Public Laws 815 and 874 (federally affected areas), and for other purposes.

Immediately following enactment of H.R. 4955 in the Senate, Morse moved that the "Senate insist upon its amendments, request a conference with the House of Representatives thereon, and that the Presiding Officer appoint the conferees on the part of the Senate." The motion was agreed to and the Presiding Officer appointed the following Senators as conferees:[234]

Democrats	Republicans
Wayne Morse of Oregon	Winston Prouty of Vermont
Lister Hill of Alabama	Jacob Javits of New York
Pat McNamara of Michigan	Barry Goldwater of Arizona
Ralph Yarborough of Texas	
Joseph Clark of Pennsylvania	
Jennings Randolph of West Virginia.	

On October 15, 1963, Representative Perkins of Kentucky asked the

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[232] Ibid., p. 18024.

[233] Ibid., p. 18037.

[234] Ibid., p. 18038.

House for unanimous consent to take H.R. 4955 from the Speaker's table "together with the Senate amendments thereto, disagree with the Senate amendments, and agree to the conference requested by the Senate." His request was objected to, and the bill was sent to the House Committee on Rules to await the granting of a conference rule. A rule on H.R. 4955 was granted on October 24, 1963, and Representative Elliott of Alabama called the bill before the House on October 29, 1963. Elliott said:

> Mr. Speaker, by direction of the Committee on Rules, I call up House Resolution 554 and ask for its immediate consideration...House Resolution 554...provides simply that the House go to conference with the Senate on H.R. 4955 which is a bill designed to strengthen and improve the quality of vocational education and at the same time designed to considerably expand vocational education opportunities throughout our nation.[235]

Elliott noted that the Senate had amended the House bill to increase authorizations for vocational education; and added two new provisions for vocational education which would authorize work-study and residential school programs; as well as amendments to extend the National Defense Education Act and Public Laws 815 and 874 for three additional years. He contended that the differences in the bill could be worked out since the House conferees would be working on a subject with which they were familiar. "The question before us," said Elliott, "is simply whether we will send the bill to conference." The question on the resolution was agreed to on October 29, 1963, and the Speaker of the House appointed the following Representatives as conferees on the part of the House.[236]

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[235] Ibid., pp. 19385-19386.

[236] Ibid., p. 19391.

Democrats	Republicans
Adam C. Powell of New York	Peter Frelinghuysen of New Jersey
Carl Perkins of Kentucky	Charles Goodell of New York
Phil Landrum of Georgia	Dave Martin of Nebraska
John Dent of Pennsylvania	Albert Quie of Minnesota
Edith Green of Oregon	Alphonzo Bell of California

Earlier in the session, H.R. 6143, a bill entitled the Higher Education Facilities Act had been acted on favorably by both the House and Senate. Subsequently, the Conference Committee was placed in the position of considering both H.R. 4955 and H.R. 6143 almost simultaneously.

H.R. 4995 and H.R. 6143 Considered by the Conference Committee

On October 31, 1963, the Conference Committee met for the first time and elected Senator Wayne Morse as chairman of the committee. Acording to Douglas Kliever:

> Morse suggested that H.R. 6143 be discussed first but that no final decisions be made until the staff had developed the necessary language changes. In the interim, H.R. 4955 could be discussed.[237]

Moreover, Kliever contended that it was "Morse's intention to tie the two bills together by holding off final approval of agreement on either bill until tentative agreement had been reached on both." Kliever's assessment was apparently correct.[238]

The discussions which had started on October 31, on H.R. 6143 were continued by the Conference Committee on November 1. Agreement was reached by the Conference Committee and a Conference Report was ordered to be prepared and printed on November 4, 1963.[239] Two days later, the House of Representatives approved the Conference Report on H.R. 6143.[240] "However," Kliever wrote, "Morse held the conference substitute on H.R. 6143 from the Senate floor with the intention of delaying Senate approval until agreement was reached on H.R. 4955.[241]

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[237] Douglas E. Kliever. *Vocational Education Act of 1963: A Case Study in Legislation*. American Vocational Association, Washington, D. C., 1965, p. 53.

[238] This statement is based upon conversations with the Conference Committee staff.

Conference Committee Agreed on H.R. 4955

The Conference Committee met on November 5, 6, and 7, to consider H.R. 4955. On the third day of meetings, the committee adjourned to be reconvened at the call of Chairman Morse. The Conference Committee came to an impasse over three issues related to vocational education--the work-study program, the residential school program, and the allotment formula.[242]

With respect to the Conference deadlock, Kliever wrote:

> The situation on November 8 looked hopeless. No agreement could be found on any of the three points of contention. The split, especially on the allotment formula, appeared irreconcilable.[243]

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[239] Douglas E. Kliever, Vocational Education Act of 1963: A Case Study in Legislation. American Vocational Association, Washington, D. C., 1965, p. 54.

[240] U. S. Congress. Congressional Record. 88th Congress, 1st Session, 1963, p. 20069.

[241] Douglas E. Kliever. Vocational Education Act of 1963: A Case Study in Legislation. American Vocational Association, Washington, D. C., 1965, p. 54.

[242] Ibid., p. 55.

[243] Ibid., p. 60.

The President of the United States has been given credit for breaking the deadlock of the Committee. Following the tragic death of President Kennedy, President Johnson addressed a Joint Session of Congress on November 27, 1963, and pleaded for "strong, forward looking action on the pending education bills." Moreover, President Johnson is reported to have personally called certain conferees to urge immediate and favorable action on H.R. 4955.[244] Subsequently, the Conferees agreed to meet on December 3. After two additional sessions on December 6 and 9, 1963, a Conference Report was agreed to. On December 10, 1963, Conference Report No. 1025, to accompany H.R. 4955, was ordered to be printed as agreed to in Conference Committee and was recommended favorably by the committee to their respective Houses.

The provisions for the work-study program and the residential school program were ultimately resolved by the Conference Committee through adopting both programs for four fiscal years starting with the fiscal year 1965; merging the authorizations for appropriations for the two programs; and establishing authorizations for appropriations as follows: $30 million for fiscal year 1965; $50 million for fiscal year 1966; and $35 million for the next two succeeding fiscal years. The Conference Committee agreed on a modified version of the Senate allotment formula which would limit the maximum spread in the allotment ratio between the rich and poor states two to three.

Authorizations for appropriations for grants to the states for vocational education agreed to in Conference Committee are reflected in Table IV.

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[244] Ibid.

TABLE IV

AUTHORIZATIONS FOR APPOPRIATIONS IN H.R. 4955 AS AGREED TO BY THE CONFERENCE COMMITTEE (IN MILLIONS)

Fiscal Year	Senate Bill	House Bill	Conference Agreement
Fiscal Year 1964	$108	$ 45	$ 60
Fiscal Year 1965	153	90	118.5
Fiscal Year 1966	198	135	177.5
Fiscal Year 1967+	243	180	225

For research, experimental, and demonstration programs, the conference Committee agreed on a 10 per cent authorization to be used by the U. S. Commissioner of Education in lieu of 15 per cent authorized by the Senate and five per cent authorized by the House.

The Conference Committee agreed that at least 33 1/3 per cent for the first four fiscal years and 25 per cent of state allotments for succeeding fiscal years must be used for vocational education of youths who had left or graduated from high school or for construction of area vocational education school facilities, or both.

For teacher training purposes, the Conference Committee agreed to substitute the Senate amendment which authorized expenditures for all types of teacher training. The House bill provided only for in-service teacher training.

The provision in the House bill which required that at least 25 per cent of funds allotted for home economics be used for training of persons to fit them for gainful employment in occupations involving knowledge and skill in home economics subjects or be transferred to another allotment was reduced to 10 per cent by the Conference Committee.

Part B of H.R. 4955 to extend the National Defense Education Act for three years was reduced to one year by the Conference Committee.

Part C of H.R. 4955 to extend Public Laws 815 and 874 for impacted area aid was reduced from a three-year extension to two years by the Conference Committee.[245]

Conference Report on H.R. 4955 Approved by the House

On December 12, 1963, the Conference Report was brought to the floor of the House. Republican conferees on the part of the House had refused to sign the Conference Report and subsequently moved to recommit the bill to the Conference Committee with instructions to delete the work-study program and residential school program. Representative Powell declared that a motion to recommit the bill with instructions would kill the bill since he "could not work the will of the other body, and they have informed me that they will not go to conference..." Then, too, Powell reminded the House that 315 members represented districts which received impacted area aid.[246]

The yeas and nays were ordered on the motion to recommit the bill with instructions to delete the work-study and residential school provisions. When the votes were counted, the recommittal motion was rejected by a margin of only 12 votes--180 yeas to 192 nays.[247]

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[245] See Appendix I for an Analysis of Other Points of Agreement Reached by the Conference Committee.

[246] U. S. Congress. Congressional Record. 88th Congress, 1st Session, 1963, p. 23119.

The question was called for on agreeing to the Conference Report on H.R. 4955. The votes were tallied and the Conference Report was agreed to by a vote of 300 to 65, on December 12, 1963.[248]

Conference Report on H.R. 4955 Approved by the Senate

On December 13, 1963, Senator Morse submitted the Conference Report on H.R. 4955 to the Senate and asked for the yeas and nays on the question of agreeing to the report. Senator Yarborough commented that the Conference Report on H.R. 4955 was "basically the same bill as passed by the Senate on October 8." Subsequently, the question on agreeing to the Conference Report was ordered. When the result was announced there were 82 yeas and 4 nays. So the Conference Report was agreed to by the Senate on December 13, 1963.[249]

The Senate had approved the Conference Report on H.R. 6143 concerning the Higher Education Facilities Act two days before approving the Conference Report on H.R. 4955. Kliever later wrote, "It is possible that Morse overestimated the potential resistance to the higher education bill for it passed easily."

H.R. 4955 Approved by the President

On December 18, 1963, Lyndon Baines Johnson, 35th President of the United States, approved (H.R. 4955) the Vocational Education Act of 1963. The act was designated Public Law 88-210.

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[247] Ibid., p. 23120.

[248] Ibid., p. 23121.

[249] Ibid., p. 23312.

CHAPTER IV

A SUMMARY OF SOME DISCERNIBLE ISSUES ASSOCIATED WITH THE DEVELOPMENT OF THE VOCATIONAL EDUCATION ACT OF 1963

The Vocational Education Act of 1963 was an apparent outgrowth of economic conditions and societal needs which existed in the United States in the late 1950's and early 1960's.

The recessions of 1958 and 1961 had brought unemployment to the highest level since the 1930's. Between 1958 and 1961, the unemployment rate averaged 5.9 per cent. In 1962, the unemployment rate averaged 5.6 per cent and an average of four-million Americans were out of work. Not since the depression of the 1930's had unemployment ramained so high for so long a period of time. The persistent high rate of unemployment increased the amount of long-term unemployment. Youth, especially minority groups, the older workers, the uneducated, and the unskilled were particularly hard hit.[1] In addition, an estimated 32 million Americans were living in poverty in 1962. The unemployment problem was further aggravated by the movement of rural people to large metropolitan areas; discrimination based on age, sex, race, and creed; multiple job holding by individuals; the need to rehabilitate the physically and mentally handicapped; a tax structure which discouraged industrial expansion; and inadequate educational opportunities, particularly in vocational education.[2]

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[1] U. S. Department of Labor. Manpower Report of the President: Transmitted to the Congress March 1963. Washington, D. C.: Government Printing Office, 1963, p. 33.

The problem was compounded by projections that by 1970 nearly one-third of all workers in the labor force would have entered it during the 1960's. It was also projected that 26 million youths would be entering the labor market during that same 10-year period--more than the country had ever had to train and to absorb in any comparable length of time.[3]

According to President Kennedy, the nation's most urgent domestic problem in the early 1960's was unemployment. The country was undergoing a technological revolution unparalleled in history. Almost simultaneously, education and political spokesmen suggested that unemployment due to technological displacement would not be solved unless appropriate education and training programs to equip men and women to work in a rapidly changing technological and automated society could be implemented. Automation not only created demands for new and higher skills, it also made old skills obsolete.[4]

These, and other factors, prompted President Kennedy to call for expanded federal aid to education in 1961. In his first education message to the Congress, President Kennedy called for the appointment of a Panel of Consultants on Vocational Education to be responsible for reviewing and evaluating the existing National Vocational Education Acts and making recommendations for improvement and redirection.[5] The Panel which subsequently was appointed, completed its work between November, 1961, and November, 1962. The report of the Panel, Education for a Changing World of Work, reflects the Panel's concern with "the education needs of all nonprofessional workers."[6]

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[2] U. S. Congress. Joint Economic Committee. 1963 Joint Economic Report. Senate Report No. 78, 88th Congress, 1st Session, May, 1963, p. 66.

[3] U. S. Congress. House. Committee on Education and Labor. Vocational Education Act of 1963. Hearings Before the General Subcommittee on Education, House of Representatives, on Title V, Part A, of H.R. 3000, and H.R. 4955, 88th Congress, 1st Session, 1963, pp. 194-196.

[4] U. S. Congress. Senate. Committee on Labor and Public Welfare. Nation's Manpower Revolution. Hearings Before the Subcommittee on Employment and Manpower, United States Senate, 88th Congress, 1st Session, 1963, p. 2.

The report of the Panel of Consultants on Vocational Education stated that three out of 10 youngsters enrolled in elementary school would probably not graduate from high school. Of those who probably would graduate from high school, three out of seven would probably not go on to college. The Panel suggested that eight out of 10 young people enrolled in the public schools should be provided an opportunity to prepare for the world of work through vocational education programs. The Panel found that the existing system of federal support for vocational education was outmoded and recommended a functional program suited to the vocational education needs of groups of people within the population.

Moreover, the Panel found that vocational education was available in too few high schools, and that programs which did exist were not preparing people for enough different kinds of employment opportunities in a highly technological society. In addition, their report reflected a critical need for post-high school technical training.

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[5] U. S. President. Message From the President of the United States Relative to American Education. 87th Congress, 1st Session, February 20, 1961.

[6] U. S. Department of Health, Education, and Welfare. Education for a Changing World of Work: Report of the Panel of Consultants on Vocational Education. Washington, D. C.: Government Printing Office, 1963, p. xv.

In lieu of the occupational categories specified by the then existing National Vocational Education Acts, the Panel recommended that a new program be developed and directed to meet the occupational training needs of all persons in all communities regardless of their background. Additionally, it was recommended that federal support be provided for the following groups of people:

1. Youth in high school
2. Post-high school youth and adults
3. Out of school youth and adults at work or unemployed
4. Youth with special needs

The Panel also advocated that the federal government support the following special services designed to improve and upgrade vocational education:

1. Teacher training
2. Development of new curricula and materials
3. Expanded and improved guidance and counseling services
4. Research activities to assist in evaluating and improving vocational programs
5. Expansion of professional vocational education staff at the federal level

To provide for these services, and to implement programs designed to meet the needs of the four groups identified previously, the Panel recommended an annual authorization of appropriations of $400 million.[7]

In 1961 and again in 1962, President Kennedy submitted legislative proposals to the Congress for expanded federal aid to education. Resistance to the President's education proposals centered around federal control of education, segregation in the public schools, and the church-state issue.[8] While President Kennedy fought vigorously for federal aid to education, it was not until the 88th Congress that the Administration's proposals on education started to receive favorable consideration.

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[7] Ibid.

In January, 1963, President Kennedy submitted his message to the Congress on American Education. He called for massive federal aid to education beginning with the elementary grades and extending through post-graduate education.[9] His program was embodied in an omnibus bill entitled the National Education Improvement Act of 1963. The omnibus bill was numbered H.R. 3000 in the House and S. 580 in the Senate. Title V, Part A, of the omnibus bill was addressed specifically to vocational education.

Basically, Title V, Part A, of H.R. 3000 and S. 580 would have repealed the George-Barden Act of 1946 and authorized to be appropriated for vocational education $73 million for fiscal year 1964. Subsequent appropriations during the next four years were to be made in such amounts as the Congress might determine based on 1964 program accomplishments. In addition, the provision that federal matching monies be applied to specific occupational categories would have been removed under the Administration's proposed vocational legislation. Authority was included for construction of area vocational schools, and assistance would have been made available to large metropolitan areas for vocational education programs. Emphasis was placed on the groups of people to be served and the facilities needed to provide vocational education opportunities in a changing society.[10]

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[8] William T. O'Hara. *John F. Kennedy on Education*. Teachers College Press, New York, 1966, p. 122.

[9] U. S. President. *Message from the President of the United States Relative to A Proposed Program for Education, and a Draft of a Bill to Strengthen and Improve Educational Quality and Educational Opportunities in the Nation*. House of Representatives, Document No. 54, 88th Congress, 1st Session, January 29, 1963.

The Administration's omnibus bill for federal aid to education received mixed reactions by the Congress and the vocational education community. Certain members of the Congress lauded the President for submitting a program directed toward all facets of education; conversely, other members of the Congress complained that the President had set no priorities for an educational program. A member of Congress referred to the President's education legislative program as using a shotgun approach at a time when a rifle approach was needed.[11]

Furthermore, the Administration's proposal for vocational education was received with mixed emotions by vocational educators. Spokesmen for the vocational education community--the American Vocational Association in particular--indicated that they were pleased that the President had seen fit to include vocational education in his education proposal to the Congress. However, the American Vocational Association was not pleased with the provision in Title V, Part A, of H.R. 3000 and S. 580 to repeal the George-Barden Act of 1946; the temporary nature of the proposed program; the provision to remove support to specific occupational categories; and the authorization for appropriations. Vocational education spokesmen pointed out that the Administration's bill really authorized only $23 million in new funds at a time when the Panel of Consultants on Vocational Education had recommended that the federal government should invest at least $400 million in the program.[12] The American Vocational Association started searching for a champion for the cause of vocational education.

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[10] Abstracted from the *Proposed National Education Improvement Act of 1963*.

[11] U. S. House. Committee on Education and Labor. *Vocational Education Act of 1963*. Hearings Before the General Subcommittee on Education, House of Representatives, on Title V, Part A, of H.R. 3000, and H.R. 4955, 88th Congress, 1st Session, 1963, p. 139.

Representative Carl Perkins of Kentucky agreed to sponsor a bill for vocational education. Working with American Vocational Association representatives, he began drafting a new bill.[13] On March 18, 1963, Mr. Perkins introduced a bill entitled the Vocational Education Act of 1963 which was assigned the number H.R. 4955. Specifically, the Perkins bill (H.R. 4955) authorized increased appropriations for allotments to the states for vocational education starting with $73 million in fiscal year 1964 and increasing to $340 million in fiscal years 1967 and 1968, and such sums as the Congress might determine necessary for succeeding fiscal years; maintained the 50-50 matching provision for state allotments; provided that funds be used for the purposes recommended by the Panel of Consultants on Vocational Education; introduced a per capita income factor for determining allotments to the states; reserved five per cent of the funds appropriated to pay part of the cost of experimental, developmental, or pilot programs, particularly those designed to meet the special needs of youths who may have academic, socioeconomic, or other handicaps; authorized a work assistance program for students enrolled in area vocational education programs; and a student loan program. In addition, the Perkins bill would have retained the George-Barden Act of 1946 and authorized expenditure of funds for programs not already included in the existing Vocational Education Acts.[14]

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[12] Ibid., pp. 233-235.

[13] Sar A. Levitan. *Vocational Education and Federal Policy*. W. E. Upjohn Institute for Employment Research, Kalamazoo, Michigan, May, 1963, p. 27.

On March 25, 1963, the General Subcommittee on Education of the Committee on Education and Labor, House of Representatives, commenced hearings on H.R. 3000, Title V, Part A, and H.R. 4955. Administration witnesses testified in support of Title V, Part A, of H.R. 3000, and public witnesses, almost without exception, testified in support of H.R. 4955. Hearings by the General Subcommittee on Education were completed April 30, 1963. The Committee then set to work on H.R. 3000 and H.R. 4955 in keeping with testimony presented. On June 18, 1963, the Committee on Education and Labor, House of Representatives, reported out an amended version of the original Perkins bill (H.R. 4955) and recommended that it be passed by the House.[15]

Essentially, the committee-amended bill (H.R. 495) authorized new appropriations for state vocational education programs amounting to $45 million for fiscal year 1964; $90 million for fiscal year 1965; $135 million for fiscal year 1966; and $180 million for subsequent fiscal years. The new funds could be expended without categorical limitation under a broadened definition of vocational education to fit individuals for gainful employment, embracing all subprofessional occupations, including business and office occupations, not covered under any of the existing laws. Moreover, states were not required to match federal funds in fiscal year 1964, but for subsequent fiscal years 50-50 matching funds were required.

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[14] Abstracted from the Proposed Vocational Education Act of 1963.

[15] U. S. Congress. House. Vocational Education Act of 1963. House Report No. 393 to Accompany H.R. 4955, 88th Congress, 1st Session, June 18, 1963, p. 1.

In addition, the committee-amended bill (H.R. 4955) authorized use of funds for all persons needing vocational education, including those groups recommended by the Panel of Consultants on Vocational Education, and ancillary services for in-service teacher training, program evaluation, demonstration and experimental programs, instructional materials development, and state administrative leadership. Moreover, the bill required that 25 per cent of the state's allotment be used for training persons who had completed or left high school and were available for full-time study or construction of area vocational schools, or both; five per cent of funds appropriated were authorized to be used by the U. S. Commissioner of Education for making grants to State Boards, local educational agencies, colleges, universities, and other public or nonprofit private agencies for research, experimental, developmental, or pilot programs designed to meet the special needs of youths living in economically depressed areas which might have academic, socio-economic, or other handicaps preventing them from succeeding in the regular vocational education program.

The committee-reported bill (H.R. 4955) amended Titles II and III of the George-Barden Act to make the Practical Nurse Training and Area Vocational Education Programs permanent with authorizations for appropriation of $5 million and $15 million, respectively; eliminated the farm practice requirement for agriculture; required beginning with fiscal year 1966 and continuing in subsequent fiscal years that funds authorized under the Smith-Hughes and George-Barden Acts for home ecomomics training be used for training which was job oriented or in the alternative transferred to some other programs; authorized establishment of an Advisory Committee to advise the U. S. Commissioner of Education with respect to policies and administration of the program nationally; and authorized the Secretary of the U. S. Department of Health, Education, and Welfare to appoint an Advisory Council on Vocational Education during 1966 for the purpose of reviewing the administration of vocational education programs and making recommendations for improvement to the Secretary and to the Congress not later than January 1, 1968. The bill required that a similar council be formed every five years for the purposes specified previously.

H.R. 4955 (as amended) by the Committee on Education and Labor was brought before the House of Representatives on August 6, 1963.[16] Most of the debate centered around an anti-discrimination provision (Powell amendment) which was offered on the bill. In essence, the Powell amendment would have made it illegal for the federal government to provide federal aid to segregated schools.[17] Proponents for the amendments argued that such a provision would assure equal opportunities for all persons who wished to enroll in vocational education programs. Opponents of the amendment said its adoption would kill the bill and pointed out that historically education legislation had been defeated in the Congress each time the Powell amendment had been attached to a bill. The amendment was defeated by the House and a motion to recommit the

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[16] U. S. Congress. *Congressional Record*. 88th Congress, 1st Session, Washington, D. C., Government Printing Office, 1963, p. 13663.

[17] Ibid., p. 13696.

the bill to the Committee on Education and Labor with instructions to add the Powell amendment was also defeated.[18] The House devoted only a short time to the merits or demerits of the proposed vocational education legislation. Advocates for the bill suggested that it was "built on foundations already found trustworthy by time" and that it was in the best interest of the country to adopt the legislation. Almost without exception, members who raised questions on the bill expressed concern about the increased authorizations for appropriations and not the intent of the proposed legislation. On August 6, 1963, the bill H.R. 4955 was voted on, and it was passed by the House of Representatives 377 to 21.[19]

The Subcommittee on Education of the Committee on Labor and Public Welfare, United States Senate, started hearings on S. 580 beginning April 29, 1963, and ending June 25, 1963.[20] On June 19, 1963, President Kennedy submitted a message to the Congress requesting that the pending vocational education legislation embodied in H.R. 3000 and S. 580 be strengthened by authorization of additional funds, with some of the added money earmarked for residential schools in areas with a high incidence of school dropouts and youth unemployment. He also recommended the addition of a work-study program for youth of high school age to provide federal assistance for part-time work in order to help such youths to complete vocational education programs.[21]

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[18] Ibid., p. 13504.

[19] Ibid., p. 13507.

[20] U. S. Congress. Senate. Committee on Labor ad Public Welfare. Education Legislation--1963. Hearings Before the Subcommittee on Education, United States Senate, on S. 6, S. 580, S. Res. 3, and Other Education Bills, 88th Congress, 1st Session, 1963.

President Kennedy's request on June 18, 1963, for new and additional authority for vocational education was left in the hands of the Senate since the House Committee on Education and Labor favorably reported H.R. 4955 out of Committee the day after he submitted his request. On July 18, 1963, Senator Wayne Morse of Oregon introduced the vocational education recommendations incorporated in the President's request for expanded aid for vocational education. The amendment introduced by Senator Morse in the nature of a substitute for Title V, Part A, of S. 580 was an expanded version of H.R. 4955 and differed from the House reported bill in several respects. First, the level of authorizations was increased significantly over the authorizations included in H.R. 4955 as originally introduced by Representative Perkins and as reported out by the House Committee on Education and Labor. Second, the amendment introduced by Senator Morse authorized an additional $15 million for experimental residential schools beginning in fiscal 1964 and such sums as the Congress might determine necessary for the next four years. Third, the Morse amendment authorized $50 million for work-study programs beginning in fiscal year 1964 and such sums as the Congress might determine necessary for the next four years. Fourth, the amendment raised the percentage of funds authorized for research and experimental programs from five to 15 per cent. Fifth, the amendment raised the percentage of funds to be used for building area vocational schools from 25 per cent to 40 per cent for the first five years of the program. Sixth, the amendment reintroduced an equalization factor (per capita income) into the allotment formula for allotting funds among the states for vocational education purposes.

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[21] U. S. President. *Message to the Congress on Civil Rights and Job Opportunities*. 88th Congress, 1st Session, June 19, 1963.

Moreover, the amendment differed from S.580, Title V, Part A, in that it continued the George-Barden Act and made the Practical Nurse Training and Area Vocational Education Programs permanent. The Subcommittee on Education recommended to the Committee on Labor and Public Welfare, United States Senate, that H.R. 4955 be amended by striking the text of the bill as it passed the House of Representatives and substituting four new parts:

> Part A--the text, with minor modifications, of the July 18, 1963, amendment of Title V, Part A, of S. 580, incorporating the expanded vocational education recommendations of the President;
>
> Part B--the extension and amendment of the National Defense Education Act of 1958;
>
> Part C--the extension and amendment of the impacted aid program, Public Laws 815 and 874; and
>
> Part D--the extension of the Library Services Act, originally Title VI, Part C, of S. 580.

The Committee on Labor and Public Welfare met to consider H.R. 4955 as reported favorably by the Subcommittee on Education, eliminated Part D, which would have extended the Library Services Act, made a number of technical amendments, and on October 1, 1963, favorably reported the bill, H.R. 4955, as amended, for consideration by the Senate.[22]

The Senate considered H.R. 4955, as amended, on October 7 and 8, 1963. Six amendments were offered on the bill and three of those had to do directly or indirectly with Part A of the bill dealing with vocational education.[23]

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[22] U. S. Congress. Senate. Strengthen and Improve the Quality of Vocational Education and to Expand the Vocational Education Opportunities in the Nation. Senate Report No. 553 to Accompany H.R. 4955, 88th Congress, 1st Session, October 1, 1963, p. 1.

Senator Goldwater of Arizona offered an amendment to cut the authorizations for appropriations for vocational education to the amounts included in the House-passed version of H.R. 4955 and to eliminate the work-study and residential school provisions of the bill. His amendment was rejected by a vote of 23 to 52.

Senator Bayh of Indiana offered an amendment to increase the authorization for appropriations for vocational education. He withdrew the amendment.

Senator Clark of Pennsylvania introduced an amendment to substitute the President's omnibus bill, S. 580, in place of H.R. 4955, as amended, and reported favorably by the Committee on Labor and Public Welfare. He withdrew the amendment.

The other three amendments were introduced by Senator Javits of New York who offered a modified civil rights amendment on Part C of H.R. 4955, which he later withdrew; Senator Dodd of Connecticut who offered a technical amendment on Part C of H.R. 4955, which he later withdrew; and, Senator Clark of Pennsylvania who introduced an amendment on Part C of H.R. 4955 to cut back to one year the three-year extension of the impacted area program. He modified his amendment to "take to conference a proposal for a study" of the impacted area program and his modified amendment was agreed to by the Senate.

The time devoted to debate on H.R. 4955, as amended, revealed overwhelming support for the bill. The Senate approved H.R. 4955, as amended, by a vote of 80 to 4. So the bill was passed by the Senate on October 8, 1963.[24]

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[23] U. S. Congress. Congressional Record. 88th Congress, 1st Session, Washington, D. C., Government Printing Office 1963, pp. 17837-18024.

Conferees appointed on the part of the House and on the part of the Senate met on November 5, 6, and 7 to discuss H.R. 4955 and iron out differences in the bill. The Conference Committee adjourned after three days of discussion to be reconvened at the call of the chairman. The following provisions brought the Conference Committee to an impasse:

1. The work-study provision
2. The residential school provision
3. The allotment formula to determine allotments to the states [25]

Following the tragic death of President Kennedy, the Conference Committee met again on December 3, 6, and 9, before agreeing on a Conference Report. The Conference Report was ordered to be printed on December 10, 1963, and recommended favorably to both Houses of Congress.[26]

The work-study provision and the residential school provision was resolved by adopting both programs for four fiscal years beginning with fiscal year 1965; merging the authorizations for appropriations for both programs; and establishing authorizations for appropriations of $30 million for fiscal year 1965; $50 million for fiscal year 1966;

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[24] Ibid., p. 18037.

[25] Douglas E. Kliever. *Vocational Education Act of 1963: A Case Study of Legislation*. American Vocational Association, Washington, D. C., 1965, p. 55.

[26] U. S. Congress. House. *Amendments to the Vocational Education Program, National Defense Education Act of 1958, and Public Laws 815 and 874, 81st Congress*. Conference Report No. 1025 to Accompany H.R. 4955, 88th Congress, 1st Session, December 10, 1963, p. 1.

and $35 million for the next two succeeding fiscal years. The Conference Committee agreed to a modified version of the Senate formula for allotments to the states which included a per capita income provision and which would limit the maximum spread in the allotment ratio between the rich and the poor states two to three.

Authorizations for appropriations for grants to the states for vocational education agreed to in Conference Committee were $60 million for fiscal year 1964; $118.5 million for fiscal year 1965; $177.5 million for fiscal year 1966; and $225 million for 1967 and subsequent fiscal years.

For research, experimental, and demonstration programs, the Conference Committee agreed on a 10 per cent authorization to be used by the U. S. Commissioner of Education in lieu of the 15 per cent authorized by the Senate and five per cent authorized by the House.

Moverover, the Conference Committee agreed that at least 33 1/3 per cent for the first four fiscal years and 25 per cent of state allotments for succeeding fiscal years must be used for vocational education of youths who had left or graduated from high school and for construction of area vocational education school facilities, or both.

The Conference Committee agreed to substitute the Senate amendment which authorized expenditures for all types of teacher training. The House bill provided only for in-service teacher training.

The provision in the House bill which required that at least 25 per cent of funds allotted for home economics be used for training of persons to fit them for gainful employment in occupations involving knowledge and skill in home economics subject or be transferred to another program was reduced to 10 per cent by the Conference Committee.

Part B of H.R. 4955 to extend the National Defense Education Act for three years was reduced to one year by the Conference Committee.

Part C of H.R. 4955 to extend Public Laws 815 and 874 for impacted area aid was reduced from a three-year extension to two years by the Conference Committee.

On December 12, 1963, the Conference Report on H.R. 4955 was brought to the floor of the House. A motion to recommit the the bill to the Conference Committee with instructions to delete the work-study program and residential school program was defeated 192 to 180.[27] The Conference Report on H.R. 4955 was agreed to by a vote of 300 to 65.[28]

On December 13, 1963, the Conference Report on H.R. 4955 was brought to the floor of the Senate. One Senator reminded his colleagues that the bill was "basically the same bill as passed by the Senate on October 8, 1963." Subsequently, the Conference Report on H.R. 4955 was agreed to by the Senate 82 to 4.[29]

The President of the United States, Lyndon Baines Johnson, signed H.R. 4955 on December 18, 1963, and the act was designated Public Law 88-210.[30]

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[27] U. S. Congress. Congressional Record. 88th Congress, 1st Session, Washington, D. C., Government Printing Office, 1963, p. 23120.

[28] Ibid., p. 23121.

[29] Ibid., p. 23312.

[30] Public Law 88-210.

CHAPTER V

INTERPRETIVE FINDINGS AND RECOMMENDATIONS

This study encompasses activities and issues leading to the enactment of the Vocational Education Act of 1963. The interpretive findings presented herewith, however, make no attempt to give a full presentation of factors associated with the design and development of the 1963 law. Moreover, the order in which the findings are stated are not intended to reflect their relative importance. In brief, the interpretive findings which follow are meant to represent a panoramic view of selected factors associated with the formulation and adoption of the Vocational Education Act of 1963.

Interpretive Findings

1. The persistent high rate of unemployment which resulted in long-term unemployment, particularly among youth, minority groups, the unskilled, and the uneducated, provided impetus for the legislation.
2. The request by President Kennedy for a review of the National Vocational Education Acts with a view toward their redirection and improvement focused national attention on vocational education.
3. The study by the Panel of Consultants on Vocational Education in 1961 and 1962 represented the first national reconsideration

of the vocational education program since the Commission on Vocational Education made its historic study in 1914.

4. The study of the Panel of Consultants on Vocational Education provided the basic framework for Congressional architects to design the Vocational Education Act of 1963.
5. The testimony presented during the course of the hearings in both the House and Senate was largely a collection of educated opinions and generally was not supported with hard data related to the need for expanded vocational education programs.
6. The vocational education community argued to have the Smith-Hughes and George-Barden Acts retained because they were symbols to vocational educators--both programs authorized only $36 million nationally.
7. The Congress, through adopting the Area Redevelopment Act of 1961 and Manpower and Development and Training Act of 1962, moved toward providing a remedial training and retraining program for full employment.
8. The Vocational Education Act of 1963 represented a commitment to move away from remedial training and retraining programs to preventive education and training programs to assist in developing people for full employment.
9. The Vocational Education Act of 1963 recognized that education of Americans for full employment was in the national interest, and, as such, required national resources.
10. The Vocational Education Act of 1963 represented a departure from previous vocational legislation in that it focused upon groups of people to be served rather than categorical assistance

for specific vocational education fields.

11. The enactment of the Vocational Education Act of 1963 reflected the nation's increased concern for the need to develop post-secondary education and training programs to prepare youth and adults for highly technical jobs.
12. The provisions for research, experimental, developmental, and pilot programs authorized by the Vocational Education Act of 1963 reflected an awareness by the Congress that such activities were vital for improvement and redirection of the vocational education program.
13. The Vocational Education Act of 1963 focused on the need to provide training for youth and adults who had academic or socioeconomic handicaps.
14. The Vocational Education Act of 1963 was responsive to the embryonic civil rights movement in that the Act stated in its purposes that persons of all ages in all communities of a State should have ready access to vocational training which was realistic in the light of actual or anticipated opportunities for gainful employment.
15. The American Vocational Association, more than any other national association, was a major force in urging adoption of expanded federal vocational education legislation.
16. The enactment of the Vocational Education Act of 1963 was an affirmation of bipartisan Congressional support for vocational education.

This investigation might be analagous to the study of an iceberg. The research reported herein was an analysis of documents which included positions and issues both apparent and available. Like an iceberg, however, perhaps the greatest portion of the work which occurred to make the Vocational Education Act a reality was submerged from sight and more than likely never will surface. Congressional promises, trades, and compromises associated with the proposed vocational education measure in 1963 were not included since they were impossible to document.

In retrospect, the concept of public education has been a part of the fabric of American life throughout the history of the nation. In 1785, the Congress enacted the Northwest Ordinance to reserve a portion of public lands in the Western Territory for the endowment of public schools. In 1963, the 88th Congress enacted so many education laws it was given the title, "Education Congress." In the decade of the 1960's the Congress has enacted federal aid for education which has provided federal assistance reaching from pre-kindergarten through post-graduate education. The trend toward increased federal aid to education will probably continue as our social and educational institutions become increasingly complex.

Recommendations

This study was concerned with the development of a synthesis of issues and activities associated with the consideration and enactment of the Vocational Education Act of 1963 by the 1st Session of the 88th Congress. The documentation of debates and decisions which led to the development of the 1963 law represents an addition to resource materials which may be useful for teacher training purposes in higher education. Moreover, the legislative process encompassed in this study may be helpful to educators, political scientists, and others in developing insights into how legislation is considered and enacted.

The following recommendations have been developed in accordance with the findings of this study:

1. Vocational educators should become informed relative to the kinds of data which would be most useful to members of the Congress in considering future vocational education legislation.
2. Vocational educators should evaluate programs on a continuing basis to assure that vocational education offerings are up to date with current manpower and education requirements.
3. Resource materials which reflect the nation's fiscal and manpower policies as related to vocational education should be prepared by professional associations and disseminated to members of Congress and educational practitioners.
4. This study was concerned with activities leading to the enactment of the Vocational Education Act of 1963. It should be updated to include the Vocational Education Amendments enacted in 1968.

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APPENDIX A

PANEL OF CONSULTANTS ON VOCATIONAL EDUCATION

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PANEL OF CONSULTANTS ON VOCATIONAL EDUCATION
OCTOBER 1961-NOVEMBER 1962

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APPENDIX B

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APPENDIX C

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88TH CONGRESS

1ST SESSION

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APPENDIX D

AN ANALYSIS OF H.R. 4955 AS REPORTED FAVORABLY BY THE COMMITTEE ON EDUCATION AND LABOR, HOUSE OF REPRESENTATIVES, 88TH CONGRESS, 1ST SESSION

JUNE 18, 1963

AN ANALYSIS OF H.R. 4955 AS REPORTED FAVORABLY BY THE COMMITTEE ON EDUCATION AND LABOR, HOUSE OF REPRESENTATIVES, 88TH CONGRESS, 1ST SESSION
JUNE 18, 1963

MAJOR PROVISIONS OF THE BILL

Vocational Education Program Expansion

The bill authorizes new appropriations for State vocational education programs amounting to $45 million for fiscal year 1964, $90 million for fiscal year 1965, $135 million for fiscal year 1966, and $180 million for subsequent fiscal years. The new funds may be expended for State and local vocational education programs without categorical limitation under a broadened definition of vocational education to fit individuals for gainful employment, embracing all occupations, including business and office occupations not now covered under existing law. The bill requires the State administering agency to periodically review vocational education programs in the light of current and projected manpower needs and job opportunities. The bill emphasizes the need for cooperation between State vocational agencies and public employment offices. The bill seeks to strengthen student vocational counseling.

In addition to broadening the scope of occupational training offerings the bill directs vocational education programs to all persons needing such training. Thus the bill authorizes vocational education programs for persons in high school, for those out of high school available for full-time study, for persons who are unemployed or underemployed, and for persons who have academic or socioeconomic handicaps that prevent them from succeeding in the regular vocational education program.

Matching of Funds by State

H.R. 4955 requires the State to continue its current level of support for vocational education but does not require a State to match the new Federal funds for program operation in fiscal year 1964. For subsequent fiscal years matching on a 50-50 basis is required. In addition States must assure that Federal funds complement but do not replace local and State funds.

Transfer of Funds Between Occupational Categories

As has been observed under the Smith-Hughes and George-Barden Acts, appropriations are made to the specific occupational categories: (1) Trades and industry, (2) agriculture, (3) home economics, (4) distribution, (5) fisheries, (6) practical nurses, and (7) technical.

To assure that Federal funds may be used in the State and local vocational education programs to meet actual manpower needs and job opportunities, the bill as reported authorizes a State to transfer funds allotted under George-Barden and Smith-Hughes from one category to another or to any occupational training covered by the new authority. In such cases the State must justify such action as being consistent with the purposes of the Vocational Education Act of 1963.

In addition, the bill eliminates the "farm practice requirement" and broadens the definition of vocational agriculture in the Smith-Hughes and George-Barden Acts so as to permit Federal funds to be expended in agricultural training programs for occupation related to agriculture in which a knowledge and skill of agricultural subjects are involved. Moreover, home economics training under existing law is now limited to preparation for work in the farm home. H.R. 4955 would permit the use of George-Barden and Smith-Hughes money in the home economics category for home economics training not directed to home activity but involving homemaking skills for which there were employment opportunities. For the fiscal year 1966 and subsequent fiscal years 25 percent of the funds now authorized under Smith-Hughes and George-Barden for home economics training would have to be expended by the State for training which is job oriented or in the alternative transferred to some other training program.

Area Vocational Schools

The bill amends Title III of the George-Barden Act and makes the area vocational education programs permanent. The reported bill makes permanent the $15 million authorization which is due to expire in fiscal year 1964. In addition to extending this authority, H.R. 4955 would permit the States to expend funds for the construction of such area school facilities. Even though matching of Federal funds is not generally required in fiscal year 1964, any of the Federal funds spent in that year for area school construction purposes would have to be matched on a 50-50 basis. Because of the national urgency for area school training opportunities for out-of-school youths and adults, the reported bill further requires that at least 25 percent of the new Federal allotment be expended for the construction of such facilities or for the cost of operating programs of instruction for this type of student.

In order to assure that the construction funds will not be used merely to implement State and local secondary school programs, the use of construction funds is limited to buildings, improving, or expanding classroom and related facilities principally used for students engaged in full-time vocational education training.

Periodic Analysis of Training in Relation to Job Market

The reported bill requires the State administering agency to periodically evaluate vocational education programs in the light of "current manpower needs and job opportunities." An Advisory Committee is established by the bill to advise the Commissioner with respect to policies in the administration of the vocational education program so that independent judgment will be brought to bear upon the great need of relating the program to actual training requirements. In addition, the legislation requires the Secretary to appoint a National Advisory Council during 1966 for the purpose of reviewing the administering of the vocational education programs aided with Federal funds and to make recommendations regarding their improvement for transmission to the Congress not later than January 1, 1968. This coincides with the time that the Federal funds reach a plateau. The legislation requires a similar council to be formed by the Secretary every 5 years during the continuation of the program.

Quality of Vocational Education

Contributing to the improvement of quality in vocational education programs are the provisions in the bill which authorize expenditure of funds for inservice teacher training, program evaluation, special demonstration on experimental programs, development of instructional materials, and State administration leadership. In another provision 5 percent of the total funds appropriated are set apart for the purpose of making grants to State boards or with the approval of the appropriate State board to other educational institutions for developing materials, conducting research, carrying out pilot projects for the special needs of youths, particularly youths in economically depressed areas and youths having special academic or socioeconomic problems.

SECTION-BY-SECTION ANALYSIS

DECLARATION OF PURPOSE

SEC. 1. This section declares that it is the purpose of the act to provide Federal grants to States to assist them to maintain, extend, and improve existing programs of vocational education and to develop new programs. This declaration of purpose recognizes that the programs carried on under the bill supplement but do not displace existing programs of vocational education.

AUTHORIZATION OF APPROPRIATIONS

SEC. 2. This section authorizes the appropriation of $45 million for fiscal 1964, $90 million for fiscal 1965, $135 million for fiscal 1966, and $180 million for fiscal 1967 and each of the following fiscal years.

ALLOTMENTS TO STATES

SEC. 3. Under subsection (a) funds appropriated to carry out this act (except for 5 percent thereof to be used as described in subsection (c)) will be allotted among the States on the basis of the number of persons in the various age groups needing vocational education in the respective States, as follows:

(1) Half of such sums will be allotted on the basis of the relative populations aged 15 to 19 in the several States.

(2) Twenty percent of such sums will be allotted on the basis of the relative populations aged 20 to 24 in the several States.

(3) Fifteen percent of such sums will be allotted on the basis of relative populations aged 25 to 65 in the several States.

(4) Ten percent of such sums will be allotted on the basis of the relative size of the aggregate of the other allotments under the section.

Subsection (b) assures a minimum allotment of $10,000 to each State.

Subsection (c) provides that if a State does not need its entire allotment for a fiscal year it will be available for reallotment to other States in proportion to the original allotments to such States, but with adjustments to prevent any State's allotment from being increased to an amount greater than the amount which it needs.

Subsection (d) provides that populations of particular age groups will be determined by the Commissioner on the basis of estimates furnished by the Department of Commerce.

USES OF FEDERAL FUNDS

SEC. 4. Section 4 describes the purposes for which funds appropriated under this act may be used. Under this subsection these funds may be used for the following purposes:

(1) Vocational education for persons attending high school;

(2) Vocational education for persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market;

(3) Vocational education for persons who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment; however, no person will be eligible for education under this provision who is already receiving training allowances under the Manpower Development and Training Act of 1962, the Area Redevelopment Act, or the Trade Expansion Act of 1962;

(4) Vocational education for persons who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education program;

(5) Construction of area vocational education school facilities; and

(6) Ancillary services and activities to assure quality in all vocational education programs. These may include in-service teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional materials, and State administration and leadership.

Subsection (b) of this section requires that at least 25 percent of each State's allotment be used for vocational education for persons who have completed or left high school and are available for full-time study in preparation for entering the labor market (par. (2) above) or for construction of area vocational education school facilities (par. (5) above), or for both. It also requires that at least 3 percent of each State's allotment be used only for providing the ancillary services and activities referred to in paragraph (6) above. Both of these limitations may be waived by the Commissioner if he determines that a smaller percentage will adequately meet the purposes for which the sums were earmarked.

Subsection (c) provides that 5 percent of the sums appropriated to carry out this act (which, as indicated above, were not allotted to the States) will be used by the Commissioner to make grants to State boards, local educational agencies, colleges, universities, and other public or nonprofit private agencies or institutions for research, experimental, developmental, or pilot programs which are designed to meet the special vocational education needs of youths, particularly those living in depressed areas who have academic, socioeconomic, or other handicaps preventing them from succeeding in the regular vocational education programs.

STATE PLANS

SEC. 5. Subsection (a) provides that in order to receive an allotment under the act, each State must submit a State plan and have it approved. To be approved, a State plan must meet the following requirements:

(1) It must designate the State board as the sole agency for administering the plan or for supervising the administration thereof by local educational agencies. Where the State board does not include as members persons familiar with vocational education needs of management and labor in the State, and one or more persons representative of junior colleges, technical institutes, or other institutions of higher education which provide programs of technical or vocational training, the plan must provide for the designation or creation of a State advisory council which includes members with these qualifications.

(2) The plan must set forth the policies and procedures to be followed by the State in allocating its allotment among the various uses described in paragraphs (1) through (6) of section 4(a) and in allocating Federal funds to local educational agencies in the State. It is specified that these policies and procedures must insure that due consideration will be given to the results of periodic evaluations of State and local vocational education programs and services in the light of information regarding current and projected manpower needs and job opportunities, and to the relative vocational needs of all groups in all communities in the State. It also is required that the Federal funds will be used to supplement and to the extent practicalbe, increase amounts of State or local funds that would, in the absence of the Federal funds, be made available for vocational education use.

(3) The plan must provide minimum qualifications for teachers, teacher trainers, supervisors, directors, and others having responsibilities under the State plan.

(4) The plan must provide for cooperative arrangements between the public employment offices in the State and the State board under which each will take advantage of the guidance and counseling information developed by the other.

(5) The plan must set forth fiscal control and fund accounting procedures to assure proper disbursement of Federal funds.

(6) The plan must provide assurances that the labor standards provisions referred to in section 7 will be complied with.

(7) The plan must provide for making certain reports and keeping certain records.

Subsection (b) requires the Commissioner to approve any plan which meets the requirements of the preceding sentence and also requires that he give an opportunity for a hearing before finally disapproving a State plan.

Subsection (c) provides that if a State changes its plan so that it does not comply with subsection (a) or fails substantially to carry out the plan, the Commissioner must discontinue payments under the plan.

Subsection (d) provides for judicial review of action of the Commissioner in disapproving a State plan or in withholding payments under the preceding subsection. This review will be in the appropriate U.S. court of appeals, with review by the Supreme Court. In such review the findings of fact of the Commissioner, if supported by substantial evidence, will be conclusive.

PAYMENTS TO STATES

SEC. 6. Subsection (a) requires, as a condition to the receipt of grants under this act for fiscal 1964, that the State not reduce its expenditures under the Vocational Education Act and supplemental vocational education acts (as defined hereinafter).

Subsection (b) requires that a State match Federal expenditures for vocational education services under the act on a dollar-for-dollar basis during fiscal years after the first fiscal year of the program.

Subsection (c) provides that the Federal Government may not bear more than one-half the cost of construction of each area vocational education school facility project.

Subsection (d) provides that payments under the act will be made in advance on the basis of estimates, with subsequent adjustments.

LABOR STANDARDS

SEC. 7. This section provides that laborers and mechanics employed on construction projects assisted under this act will be paid wages at rates not less than those prevailing as determined in accordance with the Davis-Bacon Act. The Contract Work Hours Standards Act will also apply to such laborers and mechanics.

DEFINITIONS

SEC. 8. This section defines the following terms as follows:

(1) "Vocational education" is defined to mean vocational or technical training or retraining given in schools or classes under

public supervision and control or under contract with a State board or local educational agency (defined hereinafter) as a part of a program designed to fit individuals for gainful employment as skilled workers or technicians in recognized occupations (including programs designed to fit individuals for gainful employment in business and office occupations, and any program designed to fit individuals for gainful employment which may be assisted by Federal funds under the Vocational Education Act of 1946 and supplementary vocational education acts (defined hereinafter), but excluding any program designed to fit individuals for employment in occupations which the Commissioner determines to be generally considered professional or as requiring a baccalaureate or higher degree). The term is defined to include guidance and counseling in connection with such training, training of teachers, travel of students and vocational education personnel, but does not include the construction or initial equipment of buildings or the acquisition or rental of land.

(2) "Area vocational education school" is defined to mean a school (a) which admits as regular students, and is principally used for the provision of vocational education to, both persons who have completed high school and persons who have left high school, where such persons are available for full-time study in preparation for entering the labor market, and (b) which is available to all residents of a State or of an area of such State designated and approved by its State board.

(3) "School facilities" is defined to mean classrooms and related facilities (including initial equipment) and interests in land on which such facilities are constructed. Such term shall not include any facility intended primarily for events for which admission is to be charged to the general public.

(4) "Construction" is defined to mean construction of new buildings and expansion, remodeling, and alteration of existing buildings, and includes site grading and improvement and architect fees.

(5) "Commissioner" is defined to mean the Commissioner of Education.

(6) "State" is defined to include the District of Columbia, the Commonwealth of Puerto Rico, the Virgin Islands, Guam, and American Samoa.

(7) "State board" is defined to mean the State board designated or created pursuant to section 5 of the Smith-Hughes Act to secure to the State the benefits of that act.

(8) "Local educational agency" is defined to mean a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a political subdivision in a State, or any

other public educational institution or agency having administrative control and direction of a vocational education program.

(9) "High school" does not include any grade beyond grade 12.

(10) "Vocational Education Act of 1946" is defined to mean the act of June 18, 1936, commonly known as the George-Barden Act.

(11) "Supplementary vocational education acts" is defined to mean section 1 of the act of March 3, 1931 (relating to vocational education in Puerto Rico), the act of March 18, 1950 (relating to vocational education in the Virgin Islands), and section 9 of the act of August 1, 1956 (relating to vocational education in Guam).

ADVISORY COMMITTEE ON VOCATIONAL EDUCATION

SEC. 9. This section establishes in the Office of Education an Advisory Committee on Vocational Education (hereinafter referred to as the "Committee") consisting of the Commissioner of Education, who shall be Chairman, 1 representative each of the Departments of Commerce, Agriculture, and Labor, and 12 members, appointed for staggered terms, who are persons familiar with the vocational education needs of management and labor (in equal numbers), persons familiar with the administration of State and local vocational education programs and other persons with special knowledge and skill in the field of vocational education. Not more than 6 of such 12 members shall be professional educators. The members will receive compensation under the usual terms applicable to other advisory committees.

The Committee will advise the Commissioner in the preparation of general regulations and with respect to policy matters involving the administration of this act and other vocational education acts.

AMENDMENTS TO GEORGE-BARDEN AND SMITH-HUGHES VOCATIONAL EDUCATION ACTS

SEC. 10. Subsection (a).--To understand this subsection requires an understanding of the provisions of the George-Barden and Smith-Hughes Acts in effect today. Under those acts sums are earmarked for use in particular categories of vocational education, and may not be used for any other purpose. Under George-Barden, these categories are: (1) Agriculture, (2) home economics, (3) trades and industries, (4) distributive occupations, (5) fishery trades and industry, and distributive occupations therein, (6) practical nurse training, and (7) training of highly skilled technicians in occupations requiring scientific knowledge in fields necessary for the national defense. Under the Smith-Hughes Act, the categories for which funds are earmarked are: (1) Salaries of teachers, supervisors, and directors of agricultural subjects; (2) salaries of teachers of trade, home economics, and industrial subjects; and (3) preparation of teachers of the above subjects.

Subsection (a) permits any of the funds earmarked for one of the above categories to be transferred to and combined with any of the funds earmarked for any other category and any funds made available under this act, if the State board makes a request to the Commissioner of Education to make such a transfer and shows to his satisfaction that the transfer requested will promote the purpose of this act.

Subsection (b).--Funds allotted under title I of the George-Barden Act and the Smith-Hughes Act for vocational education in agriculture may only be used to educate persons who have entered upon or who are preparing to enter upon the work of the farm or the farm home. Further, the schools providing education in agriculture must provide for directed or supervised practice on a farm for at least 6 months per year. Subsection (b) eliminates such requirements and allows the use of such funds for vocational education in any occupation involving knowledge and skills in agricultural subjects.

Subsection (c).--To receive an allotment for vocational education in home economics under title I of the George-Barden Act, a State board must provide in its State plan that such education will be designed to (1) fit a person for useful employment and (2) meet the needs of persons who have entered upon or who are preparing to enter upon the work of the farm home. To qualify for an allotment for such education under the Smith-Hughes Act, a State plan must provide that such education be designed to fit a person for useful employment. Paragraph (1) of subsection (c) permits the use of such allotment to provide vocational education to fit persons for gainful employment (rather than useful employment) in any occupation involving knowledge and skills in home economics subjects (in addition to work of the farm home).

Paragraph (2) of subsection (c) requires that 25 percent of such allotment (for each fiscal year beginning after June 30, 1965) be used for vocational education to fit persons for gainful employment in occupations involving knowledge and skills in home economics subjects, or transferred to another allotment under subsection (a), or both.

Subsection (d).--Title I of the George-Barden Act provides for allotments for vocational education in distributive occupations, but limits the use of such allotment to training for workers given in part-time and evening schools, and in certain cases requires that such workers be 16 and over. Subsection (d) permits the use of such allotments to provide such education in other than part-time and evening schools and to any person over 14 years of age who has entered upon or is preparing to enter upon a distributive occupation.

Subsection (e).--When funds under an allotment under title I of the George-Barden Act, or the Smith-Hughes Act for vocational education in trade and industry for persons over 14 years of age, are used for preemployment schools or classes, at least one-half of the time of instruction in such schools or classes must be given to practical work on a useful or productive basis, and the instruction in such schools must extend over not less than 9 months per year and not less than 30 hours per week, except that under title I of the George-Barden Act, if such schools or classes are for persons over 18 years of age or who have left the full-time school, the instruction may extend over less than 9 months per year and less than 30 hours per week and need not include a minimum of one-half of the time be given to shop-work on a useful or productive basis. Further, one-third of the amounts allotted under such title and such act for such education must be applied to part-time schools or classes for workers. Subsection (e) permits the use of such funds for such schools or classes for persons over 14 years of age who are in school without the requirements concerning the nature and the duration of the instruction in such schools or classes, if such schools are organized to fit such persons for gainful employment in single-skilled or semi-skilled occupations which do not require training or work of such nature or duration. Further, the requirement as to the expenditure of one-third of such funds has been deleted.

EXTENSION OF PRACTICAL NURSE TRAINING AND AREA VOCATIONAL EDUCATION PROGRAMS

SEC. 11. Title II of the George-Barden Act is due to expire June 30, 1965, and similarly, title III of such act is due to expire June 30, 1964. Section 11 amends titles II and III of such act to make them permanent programs.

PERIODIC REVIEW OF VOCATIONAL EDUCATION PROGRAMS AND LAWS

SEC. 12. This section requires the Secretary of Health, Education, and Welfare to appoint an Advisory Council on Vocational Education (hereinafter referred to as the "Council") during 1966 for the purpose of reviewing the administration of the vocational education programs aided under this act and other vocational education acts. The Council shall have 12 members and shall, to the extent possible, include persons familiar with the vocational education needs of management and labor, persons familiar with the administration of State and local vocational education programs, other persons with special knowledge, experience, or qualifications with respect to vocational education, and persons representative of the general public. The Council shall submit a report to the Secretary not later than January 1, 1968, containing its recommendations and findings with respect to such programs. The Secretary shall transmit such report to the President and the Congress. The Council shall cease to exist after January 1, 1968. At least every 5 years thereafter the Secretary must appoint a new Advisory Council on Vocational Education, which shall have the same functions and be constituted in the same manner as the first Council. There is a provision for compensation and travel expenses for members of the Council.

FEDERAL CONTROL

SEC. 13. This section provides that nothing contained in this act shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, administration, or personnel of any educational institution or school system.

SHORT TITLE

SEC. 14. This section provides that this act may be cited as the "Vocational Education Act of 1963."

APPENDIX E

SUMMARY OF NEW PROVISIONS IN THE ADMINISTRATION'S VOCATIONAL EDUCATION PROPOSAL

SUMMARY OF NEW PROVISIONS IN THE ADMINISTRATION'S VOCATIONAL EDUCATION PROPOSAL

GENERAL

The draft bill incorporates the provisions of the administration's vocational education legislation proposal (title V, part A, of S. 580 and H.R. 3000), as modified by H.R. 4955 as reported by the House Education and Labor Committee, but with new provisions principally designed to broaden the opportunity for vocational education for youths of high school age, particularly in communities having substantial numbers of youths who have completed or left high school and need vocational training to equip them for gainful employment.

INCREASE IN APPROPRIATION AUTHORIZATIONS

The draft bill increases the appropriation authorizations in H.R. 4955 from $45 million, $90 million, $135 million, and $180 million, to $108 million, $153 million, $198 million, and $243 million for the fiscal years 1964, 1965, 1966, and 1967, respectively--an increase of $63 million over the amounts authorized in section 2 of that bill. In addition, the draft bill authorizes $15 million for the fiscal year 1964 and such sums as may be necessary for the next 4 years, for grants for the establishment and operation of experimental residential vocational education schools. It also authorizes an additional $50 million for fiscal 1964 and necessary sums for the next 5 years for grants to States for work-study programs to enable needy youths of high school age to commence or continue full-time vocational education programs.

Thus, in effect, the draft bill adds an additional $150 million to the $23 million originally recommended by the administration for expansion and improvement of vocational education (title V, part A, of S. 580 and H.R. 3000). Since H.R. 4955, as reported by the House committee, authorizes $45 million for fiscal 1964 (instead of the $23 million originally recommended by the President), the effect of the draft bill is to increase the fiscal 1964 authorization in the reported House bill by $128 million and by corresponding amounts in the next 4 years.

FEDERAL PROJECT GRANTS

The House-reported bill, as well as the administration bill, sets aside 5 percent of the sums appropriated each year for Federal project grants to develop, demonstrate, and evaluate special vocational education programs for youths who, by reason of academic, socioeconomic, or other handicaps, would not be able to succeed in the regular programs. The draft bill increases this percentage from 5 to 15 percent and broadens the purpose of these grants to include projects to meet the special vocational education needs of communities having substantial numbers of youths who have dropped out of school or who are unemployed.

EXPERIMENTAL RESIDENTIAL SCHOOLS

The draft bill authorizes $15 million for fiscal 1964 and such sums as Congress determines for the next 4 fiscal years for Federal grants to establish and operate residential schools to provide vocational education to youths of high school age who need full-time study on a residential basis in order to benefit fully from vocational training. In making these grants, the Commissioner will give special consideration to the needs of large urban areas having substantial numbers of youths who have dropped out of high school or are unemployed.

INCREASED EMPHASIS ON POST HIGH SCHOOL VOCATIONAL EDUCATION

The administration bill, as well as H.R. 4955, required the States to use at least 25 percent of each annual allotment to provide vocational education to youths who have left or completed high school and to construct area vocational education schools primarily designed to meet the training needs of these youths. The draft bill increases this percentage from 25 to 40 percent for the first 5 years of the program.

WORK-STUDY PROGRAMS

The draft bill adds a new title II authorizing $50 million for fiscal 1964 and necessary sums for each of the next 4 years for grants to States to enable local educational agencies (defined to include any public agency or institution providing a vocational education program) to give work assistance to students in full-time attendance in vocational education courses. The purpose of this title is to encourage and enable youths between the ages of 15 and 20--who otherwise would probably drop out of high school or discontinue their education after completing high school and be unable to find jobs--to continue in school in order to take the vocational training they need to equip them for gainful employment. These programs would provide part-time employment, of not more than 15 hours a week in public schools or other public agencies. Monthly and annual earnings could not exceed $45 and $350, respectively, unless the student attended a school away from home, in which case the limits would be $60 per month and $500 per academic year. Youths would be selected for work assistance on the basis of their need for financial aid and their need for vocational education.

MISCELLANEOUS

The draft bill also reintroduces the per capita income factor in allotting Federal funds among the States for vocational education programs, as recommended by the administration, and makes it clear that such programs can include instruction related to the occupation for which the student is being trained or necessary for him to benefit from vocational education.

APPENDIX F

TEXT OF PROPOSED AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR TITLE V, PART A, OF S. 580

TEXT OF PROPOSED AMENDMENT IN THE NATURE OF A SUBSTITUTE FOR TITLE V, PART A, OF S. 580

PART A--VOCATIONAL EDUCATION DECLARATION OF PURPOSE

SEC. 501. It is the purpose of this part to authorize Federal grants to States to assist them to maintain, extend, and improve existing programs of vocational education, to develop new programs of vocational education, and to provide part-time employment for youths who need the earnings from such employment to continue their vocational training on a full-time basis, so that persons of all ages in all communities of the State--those in high school, those who have completed or discontinued their formal education and are preparing to enter the labor market, those who have already entered the labor market but need to upgrade their skills or learn new ones, and those with special educational handicaps--will have ready access to vocational training or retraining which is of high quality, which is realistic in the light of actual or anticipated opportunities for gainful employment, and which is suited to their needs, interests, and ability to benefit from such training.

AUTHORIZATION OF APPROPRIATIONS

SEC. 502. There are hereby authorized to be appropriated for the fiscal year ending June 30, 1964, $108,000,000, for the fiscal year ending June 30, 1965, $153,000,000, for the fiscal year ending June 30, 1966, $198,000,000, and for the fiscal year ending June 30, 1967, and each fiscal year thereafter, $243,000,000, for the purpose of making grants to States as provided in this part.

ALLOTMENTS TO STATES

SEC. 503. (a) Eighty-five per centum of the sums appropriated pursuant to section 502 shall be allotted among the States on the basis of the number of persons in the various age groups needing vocational education and the per capita income in the respective States as follows: The Commissioner shall allot to each State for each fiscal year--

(1) An amount which bears the same ratio to 50 per centum of the sums so appropriated for such year, as the product of the population aged fifteen to nineteen, inclusive, in the State in the preceding fiscal year and the State's allotment ratio bears

to the sum of the corresponding products for all the States; plus

(2) An amount which bears the same ratio to 20 per centum of the sums so appropriated for such year, as the product of the population aged twenty to twenty-four, inclusive, in the State in the preceding fiscal year and the State's allotment ratio bears to the sum of the corresponding products for all the States; plus

(3) An amount which bears the same ratio to 15 per centum of the sums so appropriated for such year, as the product of the population aged twenty-five to sixty-five, inclusive, in the State in the preceding fiscal year and the State's allotment ratio bears to the sum of the corresponding products for all the States.

(b) The amount of any State's allotment under subsection (a) for any fiscal year which is less than $10,000 shall be increased to that amount, the total of the increases thereby required being derived by proportionately reducing the allotments to each of the remaining States under such subsection, but with such adjustments as may be necessary to prevent the allotment of any of such remaining States from being thereby reduced to less than that amount.

(c) The amount of any State's allotment under subsection (a) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under section 505 shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under such subsection for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use under the approved plan of such State for such year and the total of such reductions shall be similarly reallotted among the States not suffering such a reduction. Any amount reallotted to a State under this subsection during such year shall be deemed part of its allotment under subsection (a) for such year.

(d)(1) The "allotment ratio" for any State shall be 1.00 less the product of (A) .50 and (B) the quotient obtained by dividing the per capita income for the State by the per capita income for all the States (exclusive of Puerto Rico, Guam, American Samoa, and the Virgin Islands), except that (i) the allotment ratio shall in no case be less than .25 or more than .75, and (ii) the allotment ratio for Puerto Rico, Guam, American Samoa, and the Virgin Islands shall be .75.

(2) The allotment ratios shall be promulgated by the Commissioner for each fiscal year, between July 1 and September 30 of the preceding fiscal year, except that for the fiscal year ending June 30, 1964, such allotment ratios shall be promulgated as soon as possible

after the enactment of this part. Allotment ratios shall be computed on the basis of the average of the per capita incomes for a State and for all the States (exclusive of Puerto Rico, Guam, American Samoa, and the Virgin Islands) for the three most recent consecutive fiscal years for which satisfactory data is available from the Department of Commerce.

(3) The term "per capita income" for a State or for all the States (exclusive of Puerto Rico, Guam, American Samoa, and the Virgin Islands) for any fiscal year, means the total personal income for such State, and for all such States, respectively, in the calendar year ending in such fiscal year, divided by the population of such State, and of all such States, respectively, in such fiscal year.

(4) The total population and the population of particular age groups of a State or of all the States shall be determined by the Commissioner on the basis of the latest available estimates furnished by the Department of Commerce.

USES OF FEDERAL FUNDS

SEC. 504. (a) Except as otherwise provided in subsection (b), a State's allotment under section 503 may be used, in accordance with its approved State plan, for any or all of the following purposes:

(1) Vocational education for persons attending high school;

(2) Vocational education for persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market;

(3) Vocational education for persons (other than persons who are receiving training allowances under the Manpower Development, and Training Act of 1962 (Public Law 87-415), the Area Redevelopment Act (Public Law 87-27), or the Trade Expansion Act of 1962 (Public Law 87-794) who have already entered the labor market and who need training or retraining to achieve stability or advancement in employment;

(4) Vocational education for persons who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education program;

(5) Construction of area vocational education school facilities;

(6) Ancillary services and activities to assure quality in all vocational education programs, such as inservice teacher training and supervision, program evaluation, special demonstration and experimental programs, development of instructional materials, and State administration and leadership, including periodic evaluation of State and local vocational education programs and services in light of information regarding current and projected manpower needs and job opportunities.

(b) At least 40 per centum of each State's allotment for any fiscal year ending prior to July 1, 1968, and at least 25 per centum of each State's allotment for any subsequent fiscal year shall be used only for the purposes set forth in paragraph (2) or (5), or both, of subsection (a), and at least 3 per centum of each State's allotment may be used only for the purposes set forth in paragraph (6) of subsection (a), except that the Commissioner may, upon request of a State, permit such State to use a smaller percentage of its allotment for any year for the purposes specified above if he determines that such smaller percentage will adequately meet such purposes in such State.

(c) Fifteen per centum of the sums appropriated pursuant to section 502 for each fiscal year shall be used by the Commissioner to make grants to State Boards, or with the approval of the appropriate State Board, to local educational agencies, and to colleges, universities, and other public or nonprofit private agencies or institutions, to pay part of the cost of research, experimental, developmental, or pilot programs developed by such Boards, agencies, or institutions and designed to meet the special vocational education needs of youths, particularly youths in economically depressed communities, who have academic, socioeconomic, or other handicaps that prevent them from succeeding in the regular vocational education programs, and of communities having substantial numbers of youths who have dropped out of school or are unemployed.

(d) For the purpose of demonstrating the feasibility and desirability of residential vocational education schools for certain youths of high school age, there are also authorized to be appropriated $15,000,000 for the fiscal year ending June 30, 1964, and such sums as the Congress may determine for each of the next four fiscal years,for grants by the Commissioner to State boards and to other public or nonprofit private educational agencies, organizations, or institutions for the construction, equipment, and operation of residential schools to provide vocational education (including room, board, and other necessities) for youths, at least fifteen years of age and less than twenty-one years of age at the time of enrollment, who need full-time study on a residential basis in order to benefit fully from such education. In making such grants, the Commissioner shall give special consideration to the needs of large urban areas having substantial numbers of youths who have dropped out of school or are unemployed and shall seek to attain, as nearly as practicable in the light of the purposes of this subsection, an equitable geographical distribution of such schools.

STATE PLANS

SEC. 505. (a) A State which desires to receive its allotments of Federal funds under this part shall submit through its State board to the Commissioner a State plan, in such detail as the Commissioner deems necessary, which--

(1) designates the State board as the sole agency for administration of the State plan, or for supervision of the administration thereof by local educational agencies; and, if such State board does

not include as members persons familiar with the vocational education needs of management and labor in the State, and a person or persons representative of junior colleges, technical institutes, or other institutions of higher education which provide programs of technical or vocational training meeting the definition of vocational education in section 508(1) of this Act, provides for the designation or creation of a State advisory council which shall include such persons, to consult with the State board in carrying out the State plan;

(2) sets forth the policies and procedures to be followed by the State in allocating each such allotment among the various uses set forth in paragraphs (1), (2), (3), (4), (5), and (6) of section 504(a), and in allocating Federal funds to local educational agencies in the State, which policies and procedures insure that due consideration will be given to the results of periodic evaluations of State and local vocational education programs and services in light of information regarding current and projected manpower needs and job opportunities, and to the relative vocational education needs of all groups in all communities in the State, and that Federal funds made available under this part will be so used as to supplement, and, to the extent practical, increase the amounts of State or local funds that would in the absence of such Federal funds be made available for the uses set forth in section 504(a), and in no case supplant such State or local funds;

(3) provides minimum qualifications for teachers, teacher-trainers, supervisors, directors, and others having responsibilities under the State plan;

(4) provides for entering into cooperative arrangements with the system of public employment offices in the State, approved by the State board and by the State head of such system, looking toward such offices making available to the State board and local educational agencies occupational information regarding reasonable prospects of employment in the community and elsewhere, and toward consideration of such information by such board and agencies in providing vocational guidance and counseling to students and prospective students and in determining the occupations for which persons are to be trained; and looking toward guidance and counseling personnel of the State board and local educational agencies making available to public employment offices information regarding the occupational qualifications of persons leaving or completing vocational education courses or schools, and toward consideration of such information by such offices in the occupational guidance and placement of such persons;

(5) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this part;

(6) provides assurance that the requirements of section 507 will be complied with on all construction projects in the State assisted under this part; and

(7) provides for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this part, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(b) The Commissioner shall approve a State plan which fulfills the conditions specified in subsection (a), and shall not finally disapprove a State plan except after reasonable notice and opportunity for a hearing to the State board designated pursuant to paragraph (1) of such subsection.

(c) Whenever the Commissioner, after reasonable notice and opportunity for hearing to the State board administering a State plan approved under subsection (b), finds that--

(1) the State plan has been so changed that it no longer complies with the provisions of subsection (a), or

(2) in the administration of the plan there is a failure to comply substantially with any such provision,

the Commissioner shall notify such State board that no further payments will be made to the State under this part (or, in his discretion, further payments to the State will be limited to programs under or portions of the State plan not affected by such failure) until he is satisfied that there will no longer be any failure to comply. Until he is so satisfied, the Commissioner shall make no further payments to such State under this part (or shall limit payments to programs under or portions of the State plan not affected by such failure).

(d) A State board which is dissatisfied with a final action of the Commissioner under subsection (b) or (c) may appeal to the United States court of appeals for the circuit in which the State is located, by filing a petition with such court within sixty days after such final action. A copy of the petition shall be forthwith transmitted by the clerk of the court to the Commissioner, or any officer designated by him for that purpose. The Commissioner thereupon shall file in the court the record of the proceedings on which he based his action, as provided in section 2112 of title 28, United States Code. Upon the filing of such petition, the court shall have jurisdiction to affirm the action of the Commissioner or to set it aside, in whole or in part, temporarily or permanently, but until the filing of the record the Commissioner may modify or set aside his action. The findings of the Commissioner as to the facts, if supported by substantial evidence, shall be conclusive, but the court, for good cause shown, may remand the case to the Commissioner to take further evidence, and the Commissioner may thereupon make new or modified findings of fact and may modify his previous action, and shall file in the court the record of the further proceedings. Such new or modified findings of fact shall likewise be conclusive if supported by substantial evidence. The judgment of the court affirming or setting aside, in whole or in part, any action of the Commissioner shall be final, subject to review by the Supreme Court of the United States upon certiorari or certification as provided in section 1254 of title 28, United States Code. The commencement of proceedings under this subsection shall not, unless so specifically ordered by the court, operate as a stay of the Commissioner's action.

PAYMENTS TO STATES

SEC. 506. (a) Any amount paid to a State from its allotment under section 503 for the fiscal year ending June 30, 1964, shall be paid on condition that there shall be expended for such year, in accordance with the State plan approved under section 505 or the State plan approved under the Vocational Education Act of 1946 and supplementary vocational education Acts, or both, an amount in State or local funds, or both, which at least equals the amount expended for vocational education during the fiscal year ending June 30, 1963, under the State plan approved under the Vocational Education Act of 1946 and supplementary vocational education Acts.

(b) Subject to the limitations in section 504(b), the portion of a State's allotment for the fiscal year ending June 30, 1965, and for each succeeding year, allocated under the approved State plan for each of the purposes set forth in paragraphs (1), (2), (3), (4), and (6) of section 504(a) shall be available for paying one-half of the State's expenditures under such plan for such year for each such purpose.

(c) The portion of a State's allotment for any fiscal year allocated under the approved State plan for the purpose set forth in paragraph (5) of section 504(a) shall be available for paying not to exceed one-half of the cost of construction of each area vocational education school facility project.

(d) Payments of Federal funds allotted to a State under section 503 to States which have State plans approved under section 505 (as adjusted on account of overpayments or underpayments previously made) shall be made by the Commissioner in advance on the basis of such estimates, in such installments, and at such times, as may be reasonably required for expenditures by the States of the funds so allotted.

LABOR STANDARDS

SEC. 507. All laborers and mechanics employed by contractors or subcontractors on all construction projects assisted under this part shall be paid wages at rates not less than those prevailing as determined by the Secretary of Labor in accordance with the Davis-Bacon Act, as amended (40 U.S.C. 276a--276a-5), and shall receive overtime compensation in accordance with and subject to the provisions of The Contract Work Hours Standards Act (Public Law 87-581). The Secretary of Labor shall have with respect to the labor standards specified in this section the authority and functions set forth in Reorganization Plan Numbered 14 of 1950 (15 F.R. 3176; 5 U.S.C. 133z-15) and section 2 of the Act of June 13, 1934, as amended (40 U.S.C. 276c).

DEFINITIONS

SEC. 508. For the purposes of this part--

(1) The term "vocational education" means vocational or technical training or retraining which is given in schools or classes (including field or laboratory work incidental thereto) under public supervision and control or under contract with a State Board or local educational agency, and is conducted as part of program designed to fit individuals for gainful employment as skilled workers or technicians in recognized occupations (including any program designed to fit individuals for gainful employment in business and office occupations, and any program designed to fit individuals for gainful employment which may be assisted by Federal funds under the Vocational Education Act of 1946 and supplementary vocational education Acts, but excluding any program to fit individuals for employment in occupations which the Commissioner determines, and specified in regulations, to be generally considered professional or as requiring a baccalaureate or higher degree). Such term includes vocational guidance and counseling in connection with such training, instruction related to the occupation for which the student is being trained for necessary for him to benefit from such training, the in-service training of teachers, teacher-trainers, supervisors, and directors for such training, travel of students and vocational education personnel, and the acquisition and maintenance and repair of instructional supplies, teaching aids and equipment, but does not include the construction or initial equipment of buildings or the acquisition or rental of land.

(2) The term "area vocational education school" means a school (A) which admits as regular students, and is principally used for the provision of vocational education to, both persons who have completed high school and persons who have left high school, where such persons are available for full-time study in preparation for entering the labor market, and (B) which is available to all residents of the State or of an area thereof designated and approved by the State board administering a State plan approved under section 505.

(3) The term "school facilities" means classrooms and related facilities (including initial equipment) and interests in land on which such facilities are constructed. Such term shall not include any facility intended primarily for events for which admission is to be charged to the general public.

(4) The term "State board" means the State board designated or created pursuant to section 5 of the Smith-Hughes Act (that is the Act approved February 23, 1917 (39 Stat. 929, ch. 114; 20 U.S.C. 11-15, 16-28) to secure to the State the benefits of that Act.

(5) The term "local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or political subdivision in a State, or any other public educational institution or agency having administrative control and direction of a vocational education program.

(6) The term "Vocational Education Act of 1946" means titles I, II, and III of the Act of June 18, 1936, as amended (20 U.S.C. 15i-15m, 15o-15q, 15aa-15jj, 15aaa-15ggg).

(7) The term "supplementary vocational education Acts" means section 1 of the Act of March 3, 1931 (20 U.S.C. 30) (relating to vocational education in Puerto Rico), the Act of March 18, 1950 (20 U.S.C. 31-33) (relating to vocational education in the Virgin Islands), and section 9 of the Act of August 1, 1956 (20 U.S.C. 34) (relating to vocational education in Guam).

ADVISORY COMMITTEE ON VOCATIONAL EDUCATION

SEC. 509. (a) There is hereby established in the Office of Education an Advisory Committee on Vocational Education (hereinafter referred to as the "Advisory Committee"), consisting of the Commissioner, who shall be chairman, one representative each of the Departments of Commerce, Agriculture, and Labor, and twelve members appointed, for staggered terms and without regard to the civil service laws, by the Commissioner with the approval of the Secretary of Health, Education, and Welfare. Such twelve members shall, to the extent possible, include persons familiar with the vocational education needs of management and labor (in equal numbers), persons familiar with the administration of State and local vocational education programs, other persons with special knowledge, experience, or qualification with respect to vocational education, and persons representative of the general public, and not more than six of such members shall be professional educators. The Advisory Committee shall meet at the call of the chairman but not less often than twice a year.

(b) The Advisory Committee shall advise the Commissioner in the preparation of general regulations and with respect to policy matters arising in the administration of this part, the Vocational Education Act of 1946, and supplementary vocational education Acts, including policies and procedures governing the approval of State plans, under section 505 and the approval of projects under section 504(c) and (d).

(c) Members of the Advisory Committee shall, while serving on the business of the Advisory Committee, be entitled to receive compensation at rates fixed by the Secretary of Health, Education, and Welfare, but not exceeding $75 per day, including travel time; and, while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in the Government service employed intermittently.

AMENDMENTS TO GEORGE-BARDEN AND SMITH-HUGHES VOCATIONAL EDUCATION ACTS

SEC. 510. Notwithstanding anything to the contrary in title I, II, or III of the Vocational Education Act of 1946 (20 U.S.C. 15i-15m, 15o-15q, 15aa-15jj, 15aaa-15ggg), or in the Smith-Hughes Act (that is, the Act approved February 23, 1917, as amended (39 Stat. 929, ch. 114; 20 U.S.C. 11-15, 16-28)), or in supplementary vocational education Acts--

(a) Any portion of any amount allotted (or apportioned) to any State for any purpose under such titles, Act, or Acts for the fiscal year ending June 30, 1964, or for any fiscal year thereafter, may be transferred to and combined with one or more of the other allotments (or apportionments) of such State for such fiscal year under such titles, Act, or Acts, or under section 503 of this part and used for the purposes for which, and subject to the conditions under which, such other allotment (or apportionment) may be used, if the State board requests, in accordance with regulations of the Commissioner, that such portion be transferred and shows to the satisfaction of the Commissioner that transfer of such portion in the manner requested will promote the purpose of this part;

(b) any amounts allotted (or apportioned) under such titles, Act, or Acts for agriculture may be used for vocational education in any occupation involving knowledge and skills in agricultural subjects, whether or not such occupation involves work of the farm or of the farm home, and such education may be provided without directed or supervised practice on a farm;

(c) (1) any amounts allotted (or apportioned) under such titles, Act, or Acts for home economics may be used for vocational education to fit individuals for gainful employment in any occupation involving knowledge and skills in home economics subjects;

(2) at least 25 percentum of any amount so allotted (or apportioned) to a State for each fiscal year beginning after June 30, 1965, may be used only for vocational education to fit persons for gainful employment in occupations involving knowledge and skills in home economics subjects, or transferred to another allotment under subsection (a), or both.

(d) any amounts allotted (or apportioned) under such titles, Act, or Acts for distributive occupations may be used for vocational education for any person over fourteen years of age who has entered upon or is preparing to enter upon such an occupation, and such education need not be provided in part-time or evening schools;

(e) any amounts allotted (or apportioned) under such titles, Act, or Acts for trade and industrial occupations may be used for preemployment schools and classes organized to fit for gainful employment in such occupations persons over fourteen years of age who are in school, and operated for less than nine months per year and less than thirty hours per week and without the requirement that a minimum of 50 per centum of the time be given to practical work on a useful or productive basis, if such preemployment schools and classes are for single-skilled or semiskilled occupations which do not require training or work of such duration or nature; and less than one-third of any amounts so allotted (or apportioned) need be applied to part-time schools or classes for workers who have entered upon employment.

EXTENSION OF PRACTICAL NURSE TRAINING AND AREA VOCATIONAL EDUCATION PROGRAMS

SEC. 511. (a) (1) Section 201 of the Vocational Education Act of 1946 (20 U.S.C. 15aa) is amended by striking out "of the next eight fiscal years" and inserting in lieu thereof "succeeding fiscal year".

(2) Subsection (c) of section 202 of such Act is amended by striking out "of the next seven fiscal years" and inserting in lieu thereof "succeeding fiscal year".

(b) Section 301 of such Act (20 U.S.C. 15aaa) is amended by striking out "of the five succeeding fiscal years" and inserting in lieu thereof "succeeding fiscal year".

PERIODIC REVIEW OF VOCATIONAL EDUCATION PROGRAMS AND LAWS

SEC. 512. (a) The Secretary of Health, Education, and Welfare (hereinafter referred to as the "Secretary") shall, during 1966, appoint an Advisory Council on Vocational Education for the purpose of reviewing the administration of the vocational education programs for which funds are appropriated pursuant to this Act and other vocational education Acts and making recommendations for improvement of such administration, and reviewing the status of and making recommendations with respect to such vocational education programs and the Acts under which funds are so appropriated.

(b) The Council shall be appointed by the Secretary without regard to the civil service laws and shall consist of twelve persons who shall, to the extent possible, include persons familiar with the vocational education needs of management and labor (in equal numbers), persons familiar with the administration of State and local vocational education programs, other persons with special knowledge, experience, or qualification with respect to vocational education, and persons representative of the general public.

(c) The Council is authorized to engage such technical assistance as may be required to carry out its functions, and the Secretary shall, in addition, make available to the Council such secretarial, clerical, and other assistance and such pertinent data prepared by the Department of Health, Education, and Welfare as it may require to carry out such functions.

(d) The Council shall make a report of its findings and recommendations including recommendations for changes in the provisions of this part and other vocational education Acts) to the Secretary, such report to be submitted not later than January 1, 1968, after which date such Council shall cease to exist. The Secretary shall transmit such report to the President and the Congress.

(e) The Secretary shall also from time to time thereafter (but at intervals of not more than five years) appoint an Advisory Council on Vocational Education, with the same functions and constituted in the same manner as prescribed for the Advisory Council in the preceding subsections of this section. Each Council so appointed shall report its findings and recommendations, as prescribed in subsection (d), not later than July 1 of the second year after the year in which it is appointed, after which date such Council shall cease to exist.

(f) Members of the Council who are not regular full-time employees of the United States shall, while serving on business of the Council, be entitled to receive compensation at rates fixed by the Secretary, but not exceeding $75 per day, including travel time; and while so serving away from their homes or regular places of business, they may be allowed travel expenses, including per diem in lieu of subsistence, as authorized by section 5 of the Administrative Expenses Act of 1946 (5 U.S.C. 73b-2) for persons in Government service employed intermittently.

WORK-STUDY PROGRAMS FOR VOCATIONAL EDUCATION STUDENTS

SEC. 513. (a) There are hereby authorized to be appropriated $50,000,000 for the fiscal year ending June 30, 1964, and for each of the next four fiscal years such sums as amy be necessary, for the purpose of making grants to States as provided in this section.

(b) (1) From the sums appropriated pursuant to subsection (a) for each fiscal year, the Commissioner shall allot to each State an amount which bears the same ratio to the sums appropriated under subsection (a) for such year as the population aged fifteen to twenty, inclusive, of the State, in the preceding fiscal year bears to the population aged fifteen to twenty, inclusive, of all the States in such preceding year.

(2) The amount of any State's allotment under paragraph (1) for any fiscal year which the Commissioner determines will not be required for such fiscal year for carrying out the State's plan approved under subsection (c) shall be available for reallotment from time to time, on such dates during such year as the Commissioner may fix, to other States in proportion to the original allotments to such States under paragraph (1) for such year, but with such proportionate amount for any of such other States being reduced to the extent it exceeds the sum the Commissioner estimates such State needs and will be able to use for such year and the total of such reductions shall be similarly reallotted among the States not suffering such a reduction. Any amount reallotted to a State under this paragraph during such year shall be deemed part of its allotment for such year.

(c) To be eligible to participate in this section, a State must have in effect a plan approved under section 505 and must submit through its State board to the Commissioner a supplement to such plan (hereinafter referred to as a "supplementary plan"), in such detail as the Commissioner determines necessary, which--

(1) designates the State board as the sole agency for administration of the supplementary plan, or for supervision of the administration thereof by local educational agencies;

(2) sets forth the policies and procedures to be followed by the State in approving work-study programs, under which policies and procedures funds paid to the State from its allotment under subsection (b) will be expended solely for the payment of compensation of students employed pursuant to work-study programs which meet the requirements of subsection (d), except that not to exceed 1 per centum of any such allotment may be used to pay the cost of developing the State's supplementary plan and the cost of administering such supplementary plan after its approval under this section;

(3) sets forth principles for determining the priority to be accorded applications from local educational agencies for work-study programs, which principles shall give preference to applications submitted by local educational agencies serving communities having substantial numbers of youths who have dropped out of school or who are unemployed, and provides for undertaking such programs, insofar as financial resources available therefor make possible, in the order determined by the application of such principles;

(4) sets forth such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of, and accounting for, Federal funds paid to the State (including such funds paid by the State to local educational agencies) under this section;

(5) provides for making such reports in such form and containing such information as the Commissioner may reasonably require to carry out his functions under this section, and for keeping such records and for affording such access thereto as the Commissioner may find necessary to assure the correctness and verification of such reports.

(d) For the purposes of this section, a work-study program shall--

(1) be administered by the local educational agency and made reasonably available (to the extent of available funds) to all youths in the area served by such agency who are able to meet the requirements of paragraph (2);

(2) provide that employment under such work-study program shall be furnished only to a student who (A) has been accepted for enrollment as a full-time student in a vocational education program

which meets the standards prescribed by the State board and the local educational agency for vocational education programs assisted under the preceding sections of this part, or in the case of a student already enrolled in such a program, is in good standing and in full-time attendance, (B) is in need of the earnings from such employment to commence or continue his vocational education program, and (C) is at least fifteen years of age and less than twenty-one years of age at the commencement of his employment, and is capable, in the opinion of the appropriate school authorities, of maintaining good standing in his vocational education program while employed under the work-study program;

(3) provide that no student shall be employed under such work-study program for more than fifteen hours in any week in which classes in which he is enrolled are in session, or for compensation which exceeds $45 in any month or $350 in any academic year or its equivalent, unless the student is attending a school which is not within reasonable commuting distance from his home, in which case his compensation may not exceed $60 in any month or $500 in any academic year or its equivalent;

(4) provide that employment under such work-study program shall be for the local educational agency or for some other public agency or institution;

(5) provide that, in each fiscal year during which such program remains in effect, such agency shall expend (from sources other than payments from Federal funds under this section) for the employment of its students (whether or not in employment eligible for assistance under this section) an amount that is not less than its average annual expenditure for work-study programs of a similar character during the three fiscal years preceding the fiscal year in which its work-study program under this section is approved.

(e) Subsections (b), (c), and (d) of section 505 (pertaining to the approval of State plans, the withholding of Federal payments in case of nonconformity after approval, and judicial review of the Commissioner's final actions in disapproving a State plan or withholding payments) shall be applicable to the Commissioner's actions with respect to supplementary plans under this section.

(f) From a State's allotment under this section for the fiscal year ending June 30, 1964, and for the fiscal year ending June 30, 1965, the Commissioner shall pay to such State an amount equal to the amount expended for compensation of students employed pursuant to work-study programs under the State's supplementary plan approved under this section, plus an amount, not to exceed 1 per centum of such allotment, expended for the development of the State supplementary plan and for the administration of such plan after its approval by the Commissioner. From a State's allotment under this section for the fiscal year ending June 30, 1966, and for each of the two succeeding fiscal years, such payment shall equal 75 per centum of the amount so expended. No State shall receive payments under this section for any fiscal year in excess of its allotment under subsection (b) for such fiscal year.

(g) Such payments (adjusted on account of overpayments or under-payments previously made) shall be made by the Commissioner in advance on the basis of such estimates, in such installments, and at such times, as may be reasonably required for expenditures by the States of the funds allotted under subsection (b).

(h) Students employed in work-study programs under this section shall not by reason of such employment be deemed employees of the United States, or their service Federal service, for any purpose.

SHORT TITLE

SEC. 514. This part may be cited as the "Vocational Education Act of 1963".

APPENDIX G

SUMMARY OF AMENDMENT TO VOCATIONAL EDUCATION PROVISIONS OF S. 580, TITLE V, PART A

SUMMARY OF AMENDMENT TO VOCATIONAL EDUCATION PROVISIONS OF S. 580, TITLE V, PART A

GENERAL COMPARISON WITH S. 580

The amendment is in the nature of a substitute for "Part A--Vocational Education" of title V of S. 580. It differs from S. 580 in the following major respects:

(a) It continues the George-Barden Act and makes permanent the practical nurse training and area vocational education programs, but makes important amendments to these three laws as well as to the Smith-Hughes Act. S. 580 would replace the first three laws and leave Smith-Hughes virtually intact.

(b) It requires that the new program (like the existing programs) be administered at the State level by State boards of education or of vocational education. S. 580 would permit State administration by a State educational agency headed by a single officer.

(c) It makes the new program permanent (S. 580 limits it to 5 years) and substantially increases the appropriation authorizations.

(d) It puts increased emphasis on broadening vocational education opportunities for youths 15 to 20 years old who have completed or left their formal high school education and need full-time vocational training to equip them for gainful employment, and on the vocational training needs of communities having substantial numbers of such youths who have dropped out of school or are unemployed.

(e) It provides Federal aid for the construction and operation ofseveral experimental, residential, vocational education schools to be located in or near large urban areas having substantial numbers of school dropouts or unemployed youths.

(f) It authorizes Federal grants to States to establish work-study programs for youths aged 15 to 20 who need work assistance to enable them to commence or continue vocational training on a full-time basis.

(g) It provides for an ad hoc Advisory Council to make a comprehensive review of all vocational education laws every 5 years, and also provides for a standing advisory committee.

APPROPRIATION AUTHORIZATIONS

The amendment authorizes appropriations of $108 million for fiscal 1964, $153 million for fiscal 1965, $198 million for fiscal 1966, and $243 million for fiscal 1967 and each subsequent year for grants to States for vocational education and construction of area vocational education schools. These amounts are additional to the amounts authorized under existing laws. S. 580 authorizes $73 million for fiscal year 1964 for this purpose, but this sum includes the $50 million already authorized under the George-Barden Act.

ALLOTMENTS TO STATES

Eighty-five percent of each annual appropriation under the above authorizations would be allotted to the States--50 percent on the basis of their relative populations aged 15 to 19 and their per capita incomes, 20 percent on the basis of their populations aged 20 to 24 and their per capita incomes, and 15 percent on the basis of their populations aged 25 to 65 and their per capita incomes. This is 10 percent less than the 95 percent authorized to be so allotted under S. 580, this 10 percent having been transferred to the Federal project grants discussed immediately below.

FEDERAL PROJECT GRANTS

Fifteen percent of each annual appropriation would be reserved for project grants to State boards or local vocational agencies, colleges, universities, and other public or nonprofit private agencies or institutions for experimental or pilot programs designed to meet the special vocational training needs of persons who have educational handicaps that prevent them from succeeding in local vocational education programs, and of communities having substantial numbers of youths who have dropped out of school or are unemployed. S. 580 authorizes only 5 percent for such grants and limits them to programs for youths with educational handicaps.

EXPERIMENTAL RESIDENTIAL SCHOOLS

The amendment authorizes $15 million for fiscal 1964 and such sums as Congress determines for the next 4 fiscal years for Federal grants to establish and operate residential schools to provide vocational education to youths of high school age who need full-time study on a residential basis in order to benefit fully from vocational training. In making these grants, the Commissioner will give special consideration to the needs of large urban areas having substantial numbers of youths who have dropped out of high school or are unemployed, and will seek to attain an equitable geographical distribution of such schools.

USE OF STATE ALLOTMENTS

A State's allotment could be used under an approved State plan for the provision of vocational education (1) to youths attending high school, (2) to youths who have completed or left high school and are available for full-time study in preparation for entering the labor market, (3) to persons (other than those receiving training allowances under the Manpower Development and Training Act of 1962, the Area Redevelopment Act, or the Trade Expansion Act of 1962) who have already entered the labor market and who need vocational training or retraining to learn new jobs or advance in present jobs, and (4) to persons who need special attention because of inability to succeed in regular vocational education programs. Federal funds could also be used for the construction of area vocational education school facilities, and for various ancillary services and activities, such as teacher training and supervision, program evaluation, experimental programs, and State administration and leadership (same as S. 580).

For the first 5 years of the program 40 percent, and thereafter 25 percent, of each State's annual allotment must be used for vocational education of high school graduates or dropouts (2), above) or for construction of area vocational education schools, and 3 percent must be used for ancillary services and activities, unless permitted by the Commissioner to use a smaller percentage for these purposes (same as S. 580, except that S. 580 reserves 25 percent, rather than 40 percent, for each year).

STATE PLANS

To qualify for their allotments each State must submit and have approved by the Commissioner a State plan which--

(1) designates the State board (of education, or of vocational education) to administer the program; and if such board does not include persons representative of management and labor and persons representative of college-level vocational training institutions, provides for an advisory committee which includes such persons;

(2) sets forth the State policies for allocating Federal funds within the State among the various uses described above, which policies must give due consideration to the results of periodic evaluations of

the State and local programs in the light of current and projected manpower needs and job opportunities, and to the vocational education needs of all groups in all communities in the State; the State policies must also insure against substitution of Federal funds for State and local funds;

(3) provides minimum qualifications for teachers and other personnel;

(4) provides for cooperative arrangements with the State public employment offices under which such offices will supply occupational information to be considered by vocational education agencies in counseling students and in determining the occupations for which persons are to be trained; and under which the vocational education agencies would furnish information regarding the occupational qualifications of persons completing vocational education training and the public employment offices would consider such information in counseling and placing such persons;

(5) Sets forth procedures for fiscal and accounting controls;

(6) Requires compliance with prevailing wage and hours of work labor standards on construction projects; and

(7) Provides for making reports and keeping records needed by the Commissioner.

(Same as S. 580 except for changes in (1), (2), and (4), above.)

STATE PLAN APPROVAL, ADMINISTRATIVE HEARINGS, AND JUDICIAL REVIEW

The amended bill contains the usual provisions for opportunity for hearing to State boards in case of disapproval of State plans or finding of nonconformity with approved plans and for judicial review of the Commissioner's decisions in these matters (same as S. 580).

MATCHING

For fiscal 1964, States need not match Federal funds but must maintain State and local expenditures at least equal to the amounts spent under the various federally aided programs during fiscal 1963; for fiscal 1965 and thereafter, States must match Federal funds on 50-50 basis in each of the "use" categories described above. However, Federal funds used for construction must be matched 50-50 in the first as well as subsequent years (same as S. 580).

LABOR STANDARDS

Prevailing wages, and overtime compensation in accordance with the Contract Work Hours Standard Act, must be paid on all construction projects aided under the amended bill (same as S. 580).

DEFINITION OF VOCATIONAL EDUCATION

Means any vocational or technical training or retraining under public supervision and control (under or contract with the State board or local agency) designed to fit individuals for gainful employment as skilled workers or technicians in recognized occupations, including programs so designed for business and office occupations, and programs so designed which can be aided under existing vocational education acts, but excluding training for employment in occupations generally considered professional or as requiring a baccalaureate or higher degree (same as S. 580 except for the limitation to training for gainful employment, and language making it clear that the term includes instruction related to the occupation for which a person is being trained and instruction necessary for him to benefit from his vocational training).

ADVISORY COMMITTEE

The amendment would establish a standing Advisory Committee consisting of the Commissioner of Education and representatives from the Departments of Commerce, Agriculture, and Labor, and 12 persons appointed for staggered terms by the Commissioner with the Secretary's approval. The 12 members must include representatives of management and labor, persons familiar with the administration of State and local programs, other experts in vocational education, and representatives of the general public. Not more than 6 of the 12 can be professional educators.

AMENDMENTS TO VOCATIONAL EDUCATION ACT OF 1946 (GEORGE-BARDEN) AND SMITH-HUGHES ACT

The amendment would continue these acts but with the following modifications to freely permit interchange of funds between all the existing categories, and to broaden the occupations and groups for whom training can be provided under the principal George-Barden and Smith-Hughes categories. Thus--

(1) Any State would be permitted to combine any portion of any of its allotments under existing

laws with any other allotments under these laws, as well as with its above-described allotment under the new law.

(2) Any State could use funds earmarked for vocational education in agriculture for any occupation involving knowledge and skills in agricultural subjects, such as forestry, soil conservation, landscaping, horticulture, etc., whether or not involving work on the farm or work projects involving practice on a farm.

(3) Home economics funds (now limited to training for work in the home) could be used for vocational education in any gainful occupation involving knowledge and skills in home economics subjects, such as home companions for aged and disabled, day care center workers, nursing home assistants, hotel and motel housekeepers, home cleaning services, etc. Beginning with fiscal 1966, at least 25 percent of these funds must be used for training for gainful occupations.

(4) Distributive occupation funds (now limited to employed persons) could be used for training of young people who are still in school or who have left school but have not yet become employed (i.e., dropouts).

(5) Trade and industry funds (now limited to occupations requiring extensive skill or multiple skills) could be used for vocational education of young people while still in high school to equip them for single-skilled or semiskilled jobs. The amendment would also remove the requirement that one-third of any amounts earmarked for trades and industries be spent only for part-time day or night courses for already-employed workers.

PERMANENT EXTENSION OF PRACTICAL NURSE TRAINING AND AREA VOCATIONAL EDUCATION PROGRAMS

The amendment would make permanent the practical nurse training program (present expiration date, June 30, 1965) and the area vocational education program (enacted by title VIII of the National Defense Education Act of 1958; present expiration date, June 30, 1964).

PERIODIC REVIEW OF VOCATIONAL EDUCATION PROGRAMS AND LAWS

The amendment would require the Secretary to appoint during 1966 an ad hoc Advisory Council consisting of 12 persons with the same representative characteristics described above for the 12 nongovernmental members of the standing Advisory Committee. The Council would make a comprehensive review of the administration of federally aided vocational education programs and make recommendations for improvements in administration as well as for amendments to all vocational education acts. The Council would be authorized to engage technical assistance and would be furnished secretarial, clerical, and other assistance by the Secretary. The Council would make its report and recommendations not later than January 1, 1968, and cease to exist on that date.

Periodically thereafter, but not less often than once every 5 years, the Secretary would appoint a similar Council with similar responsibilities.

WORK-STUDY PROGRAMS

The amendment adds a new section authorizing $50 million for fiscal 1964 and necessary sums for each of the next 4 years for grants to States to enable local educational agencies (defined to include any public agency or institution providing a vocational education program) to give work assistance to students in full-time attendance in vocational education courses. The purpose of this section is to encourage and enable youths between the ages of 15 and 20--who otherwise would probably dropout of high school or discontinue their education after completing high school and be unable to find jobs--to continue in school in order to take the vocational training they need to equip them for gainful employment. These programs would provide part-time employment, of not more than 15 hours a week, in public schools or other public agencies. Monthly and annual earnings could not exceed $45 and $350, respectively, unless the student attended a school away from home, in which case the limits would be $60 per month and $500 per academic year. Youths would be selected for work assistance on the basis of their need for financial aid and their need for vocational education.

Annual appropriations would be allotted to the States on the basis of their populations aged 15 to 20, inclusive. States having plans approved under the amended bill previously described, would submit supplementary plans to participate in this program.

APPENDIX H

AN ANALYSIS OF PART A OF H.R. 4955 AS REPORTED FAVORABLY BY THE COMMITTEE ON LABOR AND PUBLIC WELFARE, UNITED STATES SENATE, 88TH CONGRESS, 1ST SESSION, OCTOBER 1, 1963

AN ANALYSIS OF PART A OF H.R. 4955 AS REPORTED FAVORABLY BY THE COMMITTEE ON LABOR AND PUBLIC WELFARE, UNITED STATES SENATE, 88TH CONGRESS, 1ST SESSION, OCTOBER 1, 1963

MAJOR PROVISIONS OF THE BILL

Vocational Education Program Expansion

The Senate version of the bill would authorize to be appropriated $108 million for fiscal year 1964, $153 million for fiscal year 1965, $198 million for fiscal year 1966, and $243 million for fiscal year 1967 and each succeeding fiscal year thereafter. Moreover, Part A of H.R. 4955 also authorizes two new programs. First, the establishment and operation of residential vocational schools in large urban areas having substantial numbers of high school dropouts and unemployed youth. Second, the establishment of a work-study program which would provide employment for young people in need of part-time work in public institutions so that they may earn up to $45 a month, and thus be able financially to undertake full-time vocational training. For the establishment and operation of residential vocational schools, the bill authorized $15 million for fiscal year 1964 and the following four years; and, for the work-study program, the bill authorized $50 million for fiscal year 1964 and such sums as the Congress might determine necessary for each of the next four years for grants to the States.

The Senate version of the bill focuses greater monetary emphasis on the high school dropout or young unemployed high school graduate in need of vocational training by providing that at least 40 percent of the grants to each State must be used for training high school dropouts or post-high school youths who are preparing to enter the labor market, as well as construction of area vocational schools.

In addition, the Senate version of the bill provides that 15 percent of the grants to the States would be earmarked for research, leadership training, pilot, and demonstration programs to be used by the U. S. Commissioner of Education for such purposes.

Matching of Funds by States

In both the House and Senate versions of H.R. 4955, States need not match Federal funds during fiscal year 1964, but must maintain State and local expenditures at least equal to the amounts spent under the various federally aided programs during fiscal year 1963; for fiscal year 1965 and thereafter, States must match Federal funds on a 50-50 basis in each of the "use" categories described in section 4 of the bill. However, Federal funds used for construction must be matched 50-50 during the first year as well as subsequent years.

Transfer of Funds Between Occupational Categories

Both the House and Senate versions of H.R. 4955 have identical provisions which would continue the Smith-Hughes and George-Barden Acts but would authorize interchange of funds between all of the existing categories and from the existing programs to the new program authorized under this bill. In addition, the bill would broaden the occupations and groups for whom training could be provided.

Area Vocational Schools

The Senate version of H.R. 4955, as well as the House version of the bill, amends Title III of the George-Barden Act and makes the area vocational education program permanent. Both bills make permanent the $15 million authorization which was scheduled to expire in fiscal year 1964. In addition to extending this authority, both the House and Senate bills would permit the States to expend funds for the construction of area vocational school facilities. While matching of Federal funds is not generally required for fiscal year 1964, any of the Federal funds spent for that year for area vocational school construction would have to be matched on a 50-50 basis. Because of the national urgency for area vocational training opportunities for out-of-school youth and adults, the Senate version of H.R. 4955 requires that at least 40 percent of the new Federal allotment be expended for the construction of such facilities or for the cost of operating programs of instruction for this type of student. The House version called for only 25 percent to be spent for these purposes.

In addition, the Senate version of H.R. 4955 authorizes expenditure of Federal funds for construction purposes for a department, division, or other unit of a junior college or university which provides vocational education, under the supervision of the State Board, leading to immediate employment but not leading to a baccalaureate degree. The Senate bill would also permit construction assistance for dual purpose high school facilities which are used as vocational schools generally serving students from more than one school district.

Periodic Analysis of Training in Relation to Job Market

The House and Senate versions of H.R. 4955 include identical language with respect to periodic evaluation of the vocational education program.

Quality of Vocational Education

Contributing to the improvement of quality in vocational education programs are the provisions in the bill which authorize expenditure of funds for teacher training programs, program evaluation, special demonstration on experimental programs, development of instructional materials, and State administration leadership. In another provision, 15 percent of the total funds appropriated are set apart to be used by the U. S. Commissioner of Education to make grants to colleges and universities, to State Boards, and with the approval of the appropriate State Board, to local educational agencies, to pay part of the cost of research and leadership training programs and of experimental, developmental, or pilot programs developed by such institutions, boards, or agencies, and designed to meet the special vocational education needs of youth, particularly youths in economically depressed communities, who have academic, socio-economic, or other handicaps that prevent them from succeeding in the regular vocational education programs, and of communities having substantial numbers of youths who have dropped out of school or are unemployed.

SECTION-BY-SECTION ANALYSIS

DECLARATION OF PURPOSE

SEC. 1. This section declares that it is the purpose of the act to provide grants to the States to assist them to maintain, extend, and improve existing programs of vocational education and to develop new programs. This declaration of purpose recognizes that the programs carried on under the bill supplement but do not displace existing vocational education programs.

AUTHORIZATIONS OF APPROPRIATIONS

SEC. 2. For purposes of making grants to the States, this section authorizes the appropriation of $108 million for fiscal 1964, $153 million for fiscal 1965, $198 million for fiscal 1966, and $243 million for fiscal 1967 and each fiscal year thereafter.

ALLOTMENTS TO STATES

SEC. 3. Eighty-five percent of each annual appropriation under the Senate authorizations would be allotted to the States--50 percent on the basis of their relative populations aged 15 to 19 and their per capita incomes, 20 percent of the basis of their populations aged 20 to 24 and their per capita incomes, and 15 percent on the basis of their populations aged 25 to 65 and their per capita incomes.

The 10 percent difference in amounts distributed to the States is based on the amount reserved under section 4(c) for grants by the Commissioner for research and pilot project demonstrations. Senate language reserves 15 percent, House language reserves 5 percent for these grants.

The House formula is based solely on population. It does not contain the equalization factor based on State per capita income found in the Senate formula.

USES OF FEDERAL FUNDS

SEC. 4. Under subsection (a) except as otherwise provided in subsection (b), a States allotment under section 3 may be used for any or all of the following purposes:

(1) Vocational education for high school students.

(2) Vocational training for the high school dropout or the post high school youth who is preparing to enter the labor market.

(3) Vocational education for those who have entered the labor market but who need training or retraining to achieve job stability or advancement.

(4) Vocational education for those who have academic, socioeconomic, or other handicaps which prevent them from succeeding in regular vocational education programs--in this connection, it should be noted that funds under this language could be used to assist specialized vocational training schools maintained by the States in connection with handicapped children.

(5) The construction of area vocational education schools; and

(6) Related services, such as teacher training.

(b) Senate language with respect to (2) and (5) focuses greater monetary emphasis on the high school dropout or young unemployed high school graduate in need of vocational training by providing that at least 40 percent of the State grant shall be used for these purposes.

(c) The remaining 15 percent of each year's appropriation would be available to the Commissioner of Education for the purpose of making grants for research, leadership training, and pilot and developmental programs designed to meet the special vocational education needs of youths with handicaps of all types, and of communities which have substantial numbers of school dropouts and unemployed youth.

(d) The Senate version authorizes $15 million for fiscal 1964 and such sums as Congress determines for the next 4 fiscal years for Federal grants to establish and operate residential schools to provide vocational education to youths of high school age who need full-time study on a residential basis in order to benefit from vocational training. In making these grants, the Commissioner will give special consideration to the needs of large urban areas having substantial numbers of youths who have dropped out of high school or are unemployed, and will seek to attain an equitable geographical distribution of such schools.

STATE PLANS

SEC. 5. Both the House and Senate versions of H.R. 4955 in section 5, provide for State plans. To qualify for their allotments each State submits for approval a State plan which--

(1) designates the State board (of education, or of vocational education) to administer the program; and if such board does not include persons representative of management and labor and persons representative of college-level vocational training institutions, provides for an advisory committee which includes such persons;

(2) sets forth the State policies for allocating Federal funds within the State among the various uses described above, which policies must give due consideration to the results of periodic evaluations of the State and local programs in the light of current and projected manpower needs and job opportunities, and to the vocational education needs of all groups in all communities in the State; the State policies must also insure against substitution of Federal funds for State and local funds; the Senate version gives emphasis to the objective of expanding vocational training offerings to persons in all communities of a State. It is hoped that with this increase of Federal, State, and local funds each State will be able to provide a comprehensive training program readily accessible throughout the State;

(3) provides minimum qualifications for teachers and other personnel;

(4) provides for cooperative arrangements with the State public employment offices under which such offices will supply occupational information to be considered by vocational education agencies in counseling students and in determining the occupations for which such persons are to be trained; and under which the vocational education agencies would furnish information regarding the occupational qualifications of persons completing vocational education training and the public employment offices would consider such information in counseling and placing such persons;

(5) sets forth procedures for fiscal and accounting controls;

(6) requires compliance with prevailing wage and hours of work labor standards on construction projects; and

(7) provides for making reports and keeping records needed by the Commissioner.

Both versions contain identical language concerning the usual provisions for opportunity for hearing to State boards in case of disapproval of State plans or finding of nonconformity with approval plans and for judicial review of the Commissioner's decisions in these matters.

PAYMENTS TO STATES

SEC. 6. In both the House and Senate versions of H.R. 4955 for fiscal 1964, States need not match Federal funds but must maintain State and local expenditures at least equal to the amounts spent under the various federally aided programs during fiscal 1963; for fiscal 1965 and thereafter, States must match Federal funds on a 50-50 basis in each of the "use" categories described in section 4. However, Federal funds used for construction must be matched 50-50 in the first as well as subsequent years.

LABOR STANDARDS

SEC. 7. Prevailing wages, and overtime compensation in accordance with the Contract Work Hours Standard Act, must be paid on all construction projects aided under both the House and Senate versions of H.R. 4955.

DEFINITIONS

SEC. 8. For the purposes of this part--

(1) Briefly, the term "vocational education" as set forth in the Senate version of H.R. 4955 means any vocational or technical training or retraining under public supervision and control (or under contract with the State board or local agency) designed to fit individuals for gainful employment as semiskilled or skilled workers or technicians in recognized occupations, including programs so designed for business and office occupations, and programs so designed which can be aided under existing vocational education acts, but excluding training for employment in occupations generally considered professional or as requiring a baccalaureate or higher degree.

In this connection, it may be noted that deleting the term "inservice" from time to time in the House version of the bill, the committee intended, that with respect to teachers of vocational education, the term "training" should be construed to include both preemployment and inservice training.

(2) The term "area vocational school" in the Senate version of H.R. 4955 means --

(A) a specialized high school used exclusively or principally for the provision of vocational education to persons who are available for full-time study in preparation for entering the labor market, or

(B) the department, division, or other unit of a high school providing vocational education to persons who are available for full-time study in preparation for entering the labor market, or

(C) a technical or vocational school used exclusively or principally for the provision of vocational education to persons who have completed or left high school and who are available for full-time study in preparation for entering the labor market, or

(D) the department, division, or other unit of a junior college or community college or university which provides vocational education, under the supervision of the State Board, leading to immediate employment but not leading to a baccalaureate degree, if it is available to all residents of the State or an area of the State designated and approved by the State Board, and if, in the case of a school, department, division, or other unit described in (C) or (D), it admits as regular students both persons who have completed high school and persons who have left high school.

The definition of area vocational schools was designed to obviate difficulties in States such as California, New Jersey, and others which utilize parts of junior and community colleges as area vocational schools. It also would permit construction assistance for dual purpose high school facilities which are used as vocational schools generally serving students from more than one school district.

All other definitions in the Senate version of H.R. 4955 were identical to the House reported bill.

ADVISORY COMMITTEE ON VOCATIONAL EDUCATION

SEC. 9. Identical language of both the House and Senate versions of H.R. 4955 would establish a standing Advisory Committee consisting of the Commissioner of Education and representatives from the Departments of Commerce, Agriculture, and Labor, and 12 persons appointed for staggered terms by the Commissioner with the Secretary's approval. The 12 members must include representatives of management and labor, persons familiar with the administration of State and local programs, other experts in vocational education, and representatives of the general public. Not more than 6 of the 12 can be professional educators.

AMENDMENTS TO GEORGE-BARDEN AND SMITH-HUGHES VOCATIONAL EDUCATION ACTS

SEC. 10. Both the House and Senate versions of H.R. 4955 would continue these acts but with the following modifications to freely permit interchange of funds between all the existing categories and from the existing programs to the new program, and to broaden the occupations and groups for whom training can be provided under the principal George-Barden and Smith-Hughes categories. Thus--

(1) Any State would be permitted to combine any portion of any of its allotments under existing laws with any other allotments under these laws, as well as with its above-described allotment under the new law.

(2) Any State could use funds earmarked for vocational education in agriculture for any occupation involving knowledge and skills in agricultural subjects, such as forestry, soil conservation, landscaping, horticulture, etc., whether or not involving work on the farm or work projects involving practice on a farm.

(3) Home economics funds (now limited to training for work in the home) could be used for vocational education in any gainful occupation involving knowledge and skills in home economics subjects, such as home companions for aged and disabled, day care center workers, nursing home assistants, hotel and motel housekeepers, home cleaning services, etc. Beginning with fiscal 1966, at least 25 percent of these funds must be used for training for gainful occupations in the House but not the Senate version.

(4) Distributive occupation funds (now limited to employed persons) could be used for training of young people who are still in school or who have left school but have not yet become employed (i.e., dropouts).

(5) Trade and industry funds (now limited to occupations requiring extensive skill or multiple skills) could be used for vocational education of young people while still in high school to equip them for single-skilled or semiskilled jobs. The amendment would also remove the requirement that one-third of any amounts earmarked for trades and industries be spent only for part-time day or night courses for already employed workers.

EXTENSION OF PRACTICAL NURSE TRAINING AND AREA VOCATIONAL EDUCATION PROGRAMS

SEC. 11. Both the House and Senate versions of H.R. 4955 would make permanent the practical nurse training program and the area vocational education program.

PERIODIC REVIEW OF VOCATIONAL EDUCATION PROGRAMS AND LAWS

SEC. 12. Identical language in both the House and Senate versions of H.R. 4955 would require the Secretary of H.E.W. to appoint during 1966 an ad hoc Advisory Council consisting of 12 persons with the same representative characteristics described above for the 12 nongovernmental members of the standing Advisory Committee. The Council would make a comprehensive review of the administration of federally aided vocational education programs and make recommendations for improvements in administration as well as for amendments to all vocational education acts. The Council would be authorized to engage technical assistance and would be furnished secretarial, clerical, and other assistance by the Secretary. The Council would make its report and recommendations not later than January 1, 1968, and cease to exist on that date.

Periodically thereafter, but not less often than once every 5 years, the Secretary would appoint a similar Council with similar responsibilities.

WORK-STUDY PROGRAMS FOR VOCATIONAL EDUCATION STUDENTS

SEC. 13. The Senate amendment adds a new section authorizing $50 million for fiscal 1964 and necessary sums for each of the next 4 years for grants to States to enable local educational agencies (defined to include any public agency or institution providing a vocational education program) to give work assistance to students in full-time attendance in vocational education courses. The purpose of this section is to encourage and enable youths between the ages of 15 and 20--who otherwise would probably drop out of high school or discontinue their education after completing high school and be unable to find jobs--to continue in school in order to take the vocational training they need to equip them for gainful employment. These programs would provide part-time employment, of not more than 15 hours a week, in public schools or other public agencies. Monthly and annual earnings could not exceed $45 and $350, respectively, unless the student attended a school away from home, in which case the limits would be $60 per month and $500 per academic year. Youths would be selected for work assistance on the basis of their need for financial aid and their need for vocational education.

Annual appropriations would be allotted to the States on the basis of their populations aged 15 to 20 inclusive. States having plans approved under the preceding sections of the bill previously described, would submit supplementary plans to participate in this program.

FEDERAL CONTROL

SEC. 14. This section provides that nothing contained in Part A of H.R. 4955 shall be construed to authorize any department, agency, officer, or employee of the United States to exercise any direction, supervision, or control over the curriculum, program of instruction, or personnel of any educational institution or school system.

SHORT TITLE

SEC. 15. This section provides that Part A of H.R. 4955 may be cited as the "Vocational Education Act of 1963."

APPENDIX I

AN ANALYSIS BY THE MANAGERS ON THE PART OF THE HOUSE OF THE DIFFERENCES IN HOUSE BILL, H.R. 4955, AND SENATE (AMENDMENT) BILL, H.R. 4955, AS AGREED TO BY THE CONFERENCE COMMITTEE

AN ANALYSIS BY THE MANAGERS ON THE PART OF THE HOUSE OF THE DIFFERENCES IN HOUSE BILL, H.R. 4955, AND SENATE (AMENDMENT) BILL, H.R. 4955, AS AGREED TO BY THE CONFERENCE COMMITTEE[1]

The Senate amendment struck out all of the House bill after the enacting clause and inserted a substitute text.

The differences between the House bill and the substitute agreed to in conference are noted below, except for clerical corrections, incidental changes made necessary by reason of agreements reached by the conferees, and minor drafting and clarifying changes.

VOCATIONAL EDUCATION

Declaration of Purpose

The declaration of purpose contained in the House bill and the Senate amendment were identical except for a provision in the Senate amendment which reflected the addition by the Senate amendment of a program to provide part-time employment for certain youths. The substitute agreed to in conference retains the Senate provision in light of the action of the conferees with respect to such Senate program.

Authorization of Appropriations

The sums authorized to be appropriated by the House bill and the Senate amendment for the purpose of making grants under this part and the sums agreed to in conference are as follows: For the fiscal year 1964, the House bill authorized to be appropriated $45,000,000, and the Senate amendment authorized $108,000,000. The substitute agreed to in conference authorizes $60,000,000 for such fiscal year. For the fiscal year 1965, the House bill authorized to be appropriated $90,000,000, and the Senate amendment authorized $153,000,000. The substitute agreed to in conference authorizes $118,500,000. For the fiscal year 1966, the House bill authorized to be appropriated $135,000,000, and the Senate amendment authorized $198,000,000. The substitute agreed to in conference authorizes $177,500,000. For the fiscal year 1967, and each fiscal year thereafter, the House bill authorized to be appropriated $180,000,000, and the Senate amendment authorized $243,000,000. The substitute agreed to in conference authorizes $225,000,000.

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[1] Note: This analysis was transcribed verbatim from Conference Report No. 1025 to accompany H.R. 4955, pp. 20-26.

Allotment to States

The House bill provided that 95 percent of the annual appropriation should be allotted among the States, and the Senate amendment provided that 85 percent of the annual appropriation should be so allotted and accordingly deleted the amount of allotment prescribed in section 3(a)(4) (prescribing an amount which bears the same ratio to 10 percent of the annual appropriation as the sum of all the allotments to a State based on age groups bears to such sum for all the States). The substitute agreed to in conference provides that 90 percent of the annual appropriation shall be allotted among the States and accordingly retains the amount of allotment prescribed in section 3(a)(4).

The allotment formula in the House bill was based on the number of persons in various age groups needing vocational education, and the Senate amendment inserted the factor of per capita income (expressed in terms of an allotment ratio) into the formula and added provisions for determining per capita income and allotment ratios which were to be not less than 0.25 or more than 0.75. The Senate formula, based on both population and per capita income, and the corollary provisions relating to per capita income and allotment ratios are adopted by the substitute with a change in the limits on allotment ratios to a minimum of 0.40 and a maximum of 0.60.

Uses of Federal Funds

1. Expenditures for construction--As a corollary to its expanded definition of area vocational education school facilities, the Senate amendment limited expenditure for construction of certain of such facilities to 10 percent of a State's allotment. The House bill contained no comparable limitation. The substitute agreed to in conference deletes such limitation and adopts the language of the House bill.

2. Teacher training--The House bill provided that expenditures made for the training of teachers could be used only for in-service teacher training, while under the Senate amendment expenditures could be made for all types of teacher training. The substitute agreed to in conference adopts the language of the Senate amendment.

3. Required expenditures for vocational training of certain youth and construction--The House bill required that at least 25 percent of a State's allotment be used for the vocational training of youths who have left or graduated from high school or for construction of area vocational education school facilities, or both. The Senate amendment increased this percentage for the first 4 fiscal years to 40 percent. The substitute agreed to in conference adopts the percentage figure of 33 1/3 for the first 4 fiscal years and provides for 25 percent of such allotment to be so available for each of the subsequent fiscal years.

4. Percentage of annual appropriation available for research and pilot programs--The House bill provided that 5 percent of the annual appropriation was to be used by the Commissioner to make grants for research and pilot programs. The Senate amendment increased such percentage to 15 percent. The conference substitute fixed 10 percent of such appropriation as the amount to be used for grants by the Commissioner.

The substitute agreed to in conference adopts a provision of the Senate amendment to make it clear that the Commissioner can make grants to colleges and universities independently of the State boards.

The House bill provided that the Commissioner could make grants to college, universities, and other public or nonprofit private agencies or institutions as well as State boards, and the Senate amendment limited such grants to colleges and universities and State boards. The substitute agreed to in conference adopts the provision of the House bill.

The House bill provided that the cost of certain research and pilot programs could be paid by such grants, and the Senate amendment included the cost of leadership training programs. The substitute agreed to in conference includes the cost of training programs as well as the cost of scuh research and pilot programs.

The Senate amendment provided that the pilot programs aided by grants from the Commissioner should be directed at the needs of communities with substantial numbers of school dropouts and unemployed youths. The House bill did not provide such a direction, and the substitute agreed to in conference deletes such direction.

State Plans

The language of the Senate amendment and the House bill are identical except that the Senate amendment included a statement that the Federal funds were to be made available so that ready access to vocational training will be provided as soon as possible to all persons in all communities of the State. The substitute agreed to in conference adopts the language of the Senate amendment.

Labor Standards

The language of the House bill and the Senate amendment were identical except for a technical amendment, made by the Senate amendment, with respect to the Contract Work Hours Standards Act which is adopted in the substitute agreed to in conference.

Definitions

1. Vocational education--The definition of vocational education contained in the House bill and the Senate amendment were identical except that the Senate amendment made clear the inclusion of the training of semiskilled workers, included instruction related to the occupation for which a student is being trained, and deleted the requirement that teacher training be limited to in-service training of teachers. The substitute agreed to in conference adopts the language of the Senate amendment.

2. Area vocational education school--The House bill defines the term "area vocational education school" as a school principally used for vocational training which admits as regular students both persons who have left or completed high school and who are available for full-time study in preparation for entering the labor market. The House bill and the Senate amendment require that the training provided by area vocational education schools be available to all residents of a State or a designated area thereof. However, the Senate amendment in an expanded definition enlarged the term from schools principally used for vocational training to: (a) specialized high schools used exclusively or principally for vocational training; (b) departments or other units of a high school; (c) technical or vocational schools used exclusively or principally for vocational training; and (d) departments or other units of junior colleges, community colleges, or universities. Further, the requirement of availability for full-time study was attached to the schools or departments described in (a), (b), and (c) above, and the requirement relating to the training of both persons who have left or completed high school was attached to the school described in (c) above. The substitute agreed to in conference adopts the definition contained in the Senate amendment except that (1) only departments of high schools and only departments or divisions of junior colleges, community colleges, and universities are included in the definition, (2) departments of high schools must be used exclusively or principally for providing vocational training in no less than five different occupational fields, and departments or divisions of junior colleges, community colleges, and universities must also provide such vocational training, and (3) the requirement as to whom the school must admit applies only to the schools described in (c) and (d) above.

Advisory Committee on Vocational Education

The House bill and Senate amendment are identical except that the Senate amendment provided that the Advisory Committee was to advise the Secretary of Health, Education, and Welfare with respect to the approval of pilot projects aided by grants from the Commissioner of Education and with respect to the program to provide residential vocational education schools. The substitute agreed to in conference adopts the language of the Senate.

Amendments to George-Barden and Smith-Hughes Vocational Education Acts

The House bill and the Senate amendment were identical, except that in providing a broader use of funds allotted for training in home economics, the House bill required that at least 25 percent of the funds so allotted be used for training of persons to fit them for gainful employment in occupations involving knowledge and skill in home economics subjects or be transferred to another allotment, or both. The Senate amendment did not contain such a requirement. The substitute agreed to in conference retains the requirement but reduces to 10 percent the percentage of the funds allotted that must be so expended.

Work Study Programs for Vocational Education Students and Residential Vocational Education Schools

The Senate amendment made provision for a 5-year program, with an initial authorization of $50,000,000 for fiscal year 1964, to enable local educational agencies to provide part-time employment in public schools and other public agencies to students in full-time attendance in vocational education courses. The bill as it passed the House contained no comparable provision. Further, the Senate amendment made provision for a 5-year program, with an initial authorization of $15,000,000 for fiscal year 1964, to demonstrate the feasibility of providing residential schools, particularly in large urban areas with school dropouts and unemployed youths, to provide vocational training to youths who need full-time study on a residential basis to benefit from such training. The House bill contained no comparable provision. The conference substitute adopts both programs for 4 fiscal years starting with fiscal year 1965. The conference substitute, in section 15, authorizes an appropriation for both of these programs in the following amounts: $30,000,000 for fiscal year 1965, $50,000,000 for fiscal year 1966, and $35,000,000 for the next two succeeding fiscal years. The Commissioner of Education is directed to determine the portion of such sums for each such year which is to be used for the purposes of either program.

In providing authorizations at this level the House conferees expressed the unanimous belief that the District of Columbia metropolitan area should be given the highest priority in the establishment and construction of a residential vocational education school, which belief was concurred in by the Senate conferees in the light of the conference agreement which excluded the District of Columbia as a participant in Public Laws 815 and 874, 81st Congress.

EXTENSION AND AMENDMENT OF THE NATIONAL DEFENSE EDUCATION ACT OF 1958

The Senate amendment, in part B, provided for a 3-year extension of the National Defense Education Act of 1958 beyond June 30, 1964, its present expiration date, and included a number of amendments. The House bill contained no comparable provision, since this was being considered in Committee as a separate piece of legislation. The substitute agreed upon in conference provides for a 1-year extension, to June 30, 1965, with certain amendments. The following statement describes the provision of the Senate amendment and the action recommended with respect thereto by the committee of conference.

Title I--General Provisions--The Senate amendment--

(1) extended the coverage of the act to American Samoa,

(2) permitted teachers in federally operated schools to receive benefits under the act,

(3) extended the benefits of the act to schools, such as "laboratory" schools and State schools for the deaf, which are under the administrative control and direction of any public institution or agency, even though not considered a part of a local public school system.

The substitute agreed upon in conference includes these provisions.

Title II--Student Loans--Title II of the act, due to expire at the end of fiscal year 1964, was extended by the Senate amendment for a period of 3 years. The conference substitute extends this title for only 1 year; that is, until June 30, 1965.

The Senate amendment also increased the amounts authorized to be appropriated for this title for fiscal years 1964 to $125,000,000 and established an authorization for fiscal year 1965 of $135,000,000. The conference agreement adopts these provisions of the Senate amendment.

The Senate amendment also--

(1) raised the institutional loan ceiling from $250,000 to $800,000,

(2) extended the moratorium on the running of interest and payment of principal on loans while student borrowers are continuing their higher education, to cover periods during which the borrower attends an approved institution of higher education located outside the United States, and

(3) extended the "forgiveness feature," under which up to one-half of a student loan is canceled for service as a public elementary school teacher at the rate of 10 percent for each year of such service, so that such feature would cover teachers in elementary or secondary overseas schools of the Armed Forces.

The conference substitute includes these three changes.

Title III--Science, Mathematics, and Modern Foreign Language Instruction--The Senate amendment extended the provisions of this title for 3 additional years. The conference substitute extends the title for only 1 year; that is, until June 30, 1965.

The Senate amendment also--

(1) authorized the Commissioner of Education to reallocate to other States any unneeded State allotments,

(2) broadened the categories of equipment and materials which may be purchased with funds made available by the title to include test-grading equipment, equipment used in connection with audio-visual libraries, and certain published materials such as charts and maps, all of which are now excluded, and

(3) made certain technical changes in the provisions governing the promulgation of allotment ratios.

The conference substitute includes these first two changes, and, in lieu of the third amendment, provides for the use of the allotment ratio promulgated in 1959 for the distribution of title III funds for 1965.

Title IV--National Defense Fellowships-The Senate amendment extended this title, which provides for a program of graduate fellowships, for 3 additional years. The conference substitute extends the title for only 1 year--that is, until June 30, 1965.

The Senate amendment also--

(1) authorized the Commissioner of Education to reaward any graduate fellowship under the act which is vacated before the expiration date of the period for which the fellowship originally was awarded, provides such reawarded fellowship cannot exceed the time period of the original award, and

(2) provided for the payment to institutions of higher education of a flat sum of $2,500 per year, less tuition charged the fellow, to cover the cost of educating fellowship recipients under the act. This payment would be substituted for the variable payment provided under existing law for this purpose.

The conference substitute adopts these two provisions.

Title V--Guidance, Counseling, and Testing--The Senate amendment extended this title for 3 additional years. The conference substitute extends the title for only one year--that is, until June 30, 1965.

The Senate amendment also--

(1) increased the annual authorization of appropriation for grants to the State educational agencies by $2,500,000, from $15,000,000 per year to $17,500,000 per year,

(2) extended the guidance and counseling program to all seventh and eighth grades,

(3) authorized the Commissioner of Education to reallot to other States any portion of a State's allotment under this title which is not used.

(4) increased the minimum State allotment from $20,000 to $50,000 under this title,

(5) excluded support of any program of clinical or psychiatric experimental testing.

The conference substitute adopts only the first four of these changes.

Title VI--Language Development--The conference substitute extended this title for only 1 year--that is, until June 30, 1965.

The Senate amendment also authorized institutes for the training of teachers of pupils for whom English is a second language. The conference substitute includes this change.

Title VII--Research and Experimentation in More Effective Utilization of Television, Radio, Motion Pictures, and Related Media for Educational Purposes--The Senate amendment extended this title for 3 additional years and authorized support of research and experimentation in the use of printed and published materials. The conference substitute includes the latter of these changes, but extends the title for only 1 year, that is until June 30, 1965.

Title X--Miscellaneous Provisions--The Senate amendment provided for a 3 year extension of this title. The conference substitute extends this title for only 1 year, that is until June 30, 1965.

FEDERALLY AFFECTED AREAS

The Senate amendment, in part C, amended Public Laws 815 and 874, 81st Congress, to extend the temporary provisions of both laws for 3 years--that is, until June 30, 1966. The substitute agreed upon in conference extends these laws for only 2 years.

The Senate amendment also--

(1) extended the laws to the District of Columbia,

(2) provided that property which is sold by the United States would continue to be considered Federal property for 1 year, and

(3) provided for a comprehensive study of these laws.

The conference substitute does not include any of these provisions.

Adam C. Powell,
Carl D. Perkins,
Phil M. Landrum,
Edith Green,
John M. Dent,
John Brademas,

Managers on the Part of the House.

APPENDIX J

LEGISLATIVE HISTORY OF THE VOCATIONAL EDUCATION ACT OF 1963

LEGISLATIVE HISTORY OF THE VOCATIONAL EDUCATION ACT OF 1963

January 29, 1963	President John F. Kennedy sent his Message on American Education to the Congress, to which was attached draft legislation designed to strengthen and improve educational quality and educational opportunities in the Nation. Identical bills, H.R. 3000 and S. 580, entitled the National Education Improvement Act of 1963 were introduced the same day in the House and Senate. Title V, Part A, dealt specifically with the expansion and improvement of vocational education.
March 18, 1963	Representative Carl Perkins introduced H.R. 4955, a bill to strengthen and improve the quality of vocational education and to expand the vocational education opportunities of the Nation.
March 25, 1963	Hearings started on H.R. 3000, Title V, Part A, relating to vocational education by the General Subcommittee on Education of the Education and Labor Committee of the House of Representatives and were completed April 30, 1963, after 12 days of testimony.
April 29, 1963	Hearings started before the Senate Subcommittee on Education of the Committee on Labor and Public Welfare on S. 580, Title V, Part A, vocational education, and were completed after 17 days of testimony, on June 25, 1963.
June 18, 1963	House Report No. 393 to accompany H.R. 4955 was reported favorably by the Committee on Education and Labor and recommended that the bill, as amended, be passed.
August 6, 1963	H.R. 4955 passed the House of Representatives as reported by the Education and Labor Committee by a vote of 377 to 21.
August 7, 1963	H.R. 4955 was received in the Senate and was referred to the Committee on Labor and Public Welfare.

September 10-11, 1963	The Senate Subcommittee on Education of the Committee on Labor and Public Welfare met in Executive Session and considered both H.R. 4955 and S. 580 in light of the President's Message on Civil Rights on June 19, 1963 stating: (a) That the pending vocational education amendments...be strengthened by the appropriation of additional funds, with some of the added money earmarked for those areas with a high incidence of school dropouts and youth unemployment, and by the addition of a new program of demonstration youth training projects to be conducted in these areas, (b) That the vocational education program be further amended to provide a work-study program for youth of high school age, with Federal funds helping their school or other local public agency employ them part-time in order to enable and encourage them to complete their training.
September 11, 1963	The Senate Subcommittee on Education of the Committee on Labor and Public Welfare recommended that H.R. 4955 be amended by striking the text of the bill as it passed the House of Representatives and substituting the text with minor modifications, of the July 18, 1963, amendment to Title V, Part A, of S. 580, incorporating the expanded vocational education recommendations of the President; and that the bill as amended be reported favorably to the full committee.
September 25, 1963	The Committee on Labor and Public Welfare in Executive Session considered H.R. 4955 as reported from the Subcommittee on Education and ordered reported H.R. 4955 favorably to the Senate, as amended.
October 1, 1963	Senate Report No. 553 to accompany H.R. 4955 was ordered to be printed and the Committee on Labor and Public Welfare recommended that the bill, as amended, be passed.
October 8, 1963	H.R. 4955, as amended, passed the Senate 80 to 4, and the Presiding Officer appointed Senators Morse, Hill, McNamara, Yarborough, Clark, Randolph, Prouty, Goldwater, and Javits as Conferees on the part of the Senate.
October 29, 1963	The House voted to send H.R. 4955 to Conference Committee and the Speaker of the House appointed Representatives Powell, Perkins,

	Landrum, Dent, Brademas, Frelinghuysen, Goodell, Martin of Nebraska, Quie, Bell, and Mrs. Green of Oregon, as Conferees on the part of the House.
December 10, 1963	House Report No. 1025 to accompany H.R. 4955 was ordered to be printed as agreed to in Conference Committee and was recommended favorably by the Conference Committee to their respective Houses.
December 12, 1963	Conference Report (House Report No. 1025) to accompany H.R. 4955 was considered and agreed to by the House of Representatives 300 to 65.
December 13, 1963	Conference Report (House Report No. 1025) to accompany H.R. 4955 was considered and agreed to by the Senate 82-4.
December 18, 1963	President Lyndon B. Johnson signed the Vocational Education Act of 1963 and it became Public Law 88-210.

VITA

Mary Louise Ellis

Candidate for the Degree of

Doctor of Education

Thesis: A SYNTHESIS OF ACTIVITIES LEADING TO THE ENACTMENT OF THE VOCATIONAL EDUCATION ACT OF 1963

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Biographical:

Personal Data: Born at Yale, Oklahoma, November 25, 1933, the daughter of Errick N. and Beatrice K. Ellis.

Education: Graduated from Quay High School, Quay, Oklahoma, in May, 1951; received Bachelor of Science Degree from Oklahoma State University, Stillwater, with a major in Business Education, in May, 1955; received the Master of Science Degree from Oklahoma State University, Stillwater, with a major in Business Education and Technical Education, in May, 1961; Advanced Graduate Study at the University of Maryland, 1962 to 1965; received Honorary Doctorate of Humanities from Paul Quinn College, Waco, Texas, May, 1969; completed requirements for the Doctor of Education degree at Oklahoma State University in May, 1970.

Professional Experience: Professional experience was gained while employed by the Oklahoma State Board for Vocational Education, 1955 to 1961; served as Research Associate at Oklahoma State University from 1961 to 1962; Program Specialist and Regional Manpower Field Coordinator in the U. S. Office of Education, 1962 to 1965; National Director of Field Services for the American Vocational Association, 1965 to 1968; Director, Washington Office, Technical Education Research Center, Lecturer at Washington Technical Institute; Research Assistant, Oklahoma State University, 1968 to present.

Professional Association: Member 1970 Yearbook Committee, American Association for Curriculum Development; Member National Policy and Planning Committee, American Vocational Assocation, 1968-1969; Member National Program Development Committee, Department of Home Economics, National Education Association, 1967-1971; Member American Association of University Women; Member National Education Association.